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*Washington, Thursday, November 8, 1945*

## *The President*

### PROCLAMATION 2672

ARMISTICE DAY, 1945

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS the battle flags of World War I were sheathed by the armistice of November 11, 1918; and

WHEREAS it is fitting at this time when we are honoring the heroes of a more recent world conflict that we express once more our gratitude for the sacrifices of those who fought in World War I; and

WHEREAS Senate Concurrent Resolution 18, Sixty-ninth Congress, passed June 4, 1926 (44 Stat. 1982), requests the President of the United States to issue a proclamation calling for the display of the flag of the United States on all Government buildings on November 11 and for the observance of the day with ceremonies "expressive of our gratitude for peace and our desire for the continuance of friendly relations with all other peoples"; and an act approved May 13, 1938 (52 Stat. 351), provides that "the 11th day of November in each year, a day to be dedicated to the cause of world peace and to be hereafter celebrated and known as Armistice Day, is hereby made a legal public holiday";

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe November 11, 1945, as Armistice Day by recalling the valor and the sacrifices of those Americans who brought victory in 1918, and by dedicating themselves to the building of an enduring peace among the countries of the world; and I direct that the flag of the United States be displayed on all Government buildings on that day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this fifth day of November, in the year of our Lord nineteen hundred and [SEAL] forty-five, and of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

JAMES F. BYRNES,  
*Secretary of State.*

[F. R. Doc. 45-20454; Filed, Nov. 7, 1945; 11:54 a. m.]

## *Regulations*

### TITLE 7—AGRICULTURE

#### Chapter IV—Production and Marketing Administration (Crop Insurance)

[Amdt. 2]

#### PART 415—FLAX CROP INSURANCE

##### CAUSES OF LOSS INSURED AGAINST

Section 415.58 of the 1946 Flax Crop Insurance Regulations is hereby amended to read as follows:

§ 415.58 *Causes of loss insured against.* The insurance contract shall cover loss in yield of flax due to unavoidable causes, including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the Board of Directors of the Corporation: *Provided, however,* That in that part of Kings County, California, lying South of a line beginning at a point where the northern boundary of Section 30, Township 20 South, Range 19 East, if extended, would intersect the Fresno County boundary, thence east from said point in a straight line along the northern boundary of said section 30 to Tulare Lake Canal, thence along Tulare Lake Canal to the northern boundary of Township 21 South, Range 21 East, thence due east to the Atchison, Topeka and Santa Fe Rail-

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## NOTICE

### 1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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road, and thence along the Atchison, Topeka and Santa Fe Railroad line in a southeasterly direction to the Tulare County line, and in such other counties or areas as may be determined by the Board of Directors, the insurance contract shall not cover loss in yield of flax due to flood.

Adopted by the Board of Directors on October 2, 1945.

[SEAL]

E. R. DUKE,  
Chairman.

Approved: November 7, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-20449; Filed, Nov. 7, 1945; 11:26 a. m.]

[Amdt. 4]

PART 418—WHEAT CROP INSURANCE REGULATIONS FOR INSURANCE CONTRACTS COVERING THE 1946, 1947, AND 1948 CROP YEARS

### CAUSES OF LOSS INSURED AGAINST

Section 418.10 of the Wheat Crop Insurance Regulations for Insurance Contracts Covering the 1946, 1947, and 1948 Crop Years is hereby amended to read as follows:

§ 418.10 *Causes of loss insured against.* The insurance contract shall cover loss in yield of wheat due to unavoidable causes, including drought, flood, hail, wind, frost, winter-kill, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the Board of Directors of the Corporation: *Provided, however, That in that part of Kings County, California, lying south of a line beginning at a point where the northern boundary of Section 30, Township 20 South, Range 19 East, if extended, would intersect the Fresno County boundary, thence east from said point in a straight*

line along the northern boundary of said Section 30 to Tulare Lake Canal, thence along Tulare Lake Canal to the northern boundary of Township 21 South, Range 21 East, thence due east to the Atchison, Topeka and Santa Fe Railroad, and thence along the Atchison, Topeka and Santa Fe Railroad line in a southeasterly direction to the Tulare County line, and in such other counties or areas as may be determined by the Board of Directors, the insurance contract shall not cover loss in yield of wheat due to flood.

Adopted by the Board of Directors on October 2, 1945.

[SEAL]

E. R. DUKE,  
Chairman.

Approved: November 7, 1945.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-20450; Filed, Nov. 7, 1945;  
11:26 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T. D. 51342]

#### PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

##### CERTAIN VESSELS ENTERING PORTS ON GREAT LAKES WITHOUT FILING PASSENGER LISTS; RESCISSION

NOVEMBER 6, 1945.

Treasury Decision 51229, dated May 2, 1945, waiving compliance with sections 434 and 435 of the Tariff Act of 1930, as amended, to the extent necessary to permit certain vessels to make entry at ports on the Great Lakes without filing passenger lists, rescinded.

Pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. App. Sup. 625), as extended by the act of December 20, 1944 (50 U.S.C. App. Sup. 645), I hereby rescind the order of the Acting Secretary of the Treasury dated May 2, 1945 (T. D. 51229), waiving compliance with the provisions of sections 434 and 435 of the Tariff Act of 1930, as amended (19 U.S.C. 1434, 1435), to the extent necessary to permit the master of any vessel, foreign or domestic, arriving at a port on the Great Lakes from contiguous foreign territory to make entry of such vessel without producing and depositing with the collector of customs a passenger list in the form prescribed by the fifth subdivision of section 431 of the Tariff Act of 1930 (19 U.S.C. 1431). This order shall be effective as of the close of the current navigation season on the Great Lakes.

[SEAL]

HERBERT E. GASTON,  
Acting Secretary of the Treasury.

[T. R. Doc. 45-20410; Filed, Nov. 7, 1945;  
10:48 a. m.]

[T. D. 51343]

#### PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

##### FILING OF MANIFEST COVERING RESIDUE CARGO DESTINED FOR FOREIGN PORTS; RESCISSION

NOVEMBER 6, 1945.

Treasury Decision 50766, dated November 16, 1942, waiving compliance with sections 434 and 435 of the Tariff Act of 1930, as amended, to the extent necessary to permit filing a pro forma manifest covering residue cargo destined for foreign ports under certain conditions rescinded.

Pursuant to the authority vested in me by the provisions of section 501 of the Second War Powers Act, 1942 (50 U.S.C. App. Sup. 635), as extended by the act of December 20, 1944 (50 U.S.C. App. Sup. 645), I hereby rescind the order of the Acting Secretary of the Treasury dated November 16, 1942 (T. D. 50766), waiving compliance with the provisions of sections 434 and 435 of the Tariff Act of 1930, as amended (19 U.S.C. 1434, 1435), to the extent necessary to permit the master of an American or foreign vessel to make entry of such vessel without producing and depositing with the collector of customs a manifest in the form prescribed by section 431 of the Tariff Act of 1930 (19 U.S.C. 1431), and without making oath that the manifest was made out in that form, upon certain conditions set out in that order.

[SEAL]

HERBERT E. GASTON,  
Acting Secretary of the Treasury.

[F. R. Doc. 45-20411; Filed, Nov. 7, 1945;  
10:48 a. m.]

## TITLE 22—FOREIGN RELATIONS

### Chapter I—Department of State

#### Subchapter B—The Foreign Service

[Foreign Service Reg. S-6]

#### PART 105—ACCOUNTS

##### MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in me by R.S. 161 (5 U.S.C. 22); by Executive Order 9452 of June 26, 1944 (3 CFR, 1944 Supp., 66), as amended by Executive Order 9514 of January 18, 1945 (10 F.R. 771); and by Executive Order 9521 of February 13, 1945 (10 F.R. 1991), §§ 105.1, 105.4, 105.5, 105.3, 105.10, 105.11, 105.16, 105.21 and 105.22 are amended to read as follows:

§ 105.1 *Accounts and records.* The term "accounts", as used in this part, means the monthly or periodical accounting required by law and regulations for all money obtained and disposed of while acting in an official capacity as an officer of the United States Government. Accounts shall contain full details of each official or semi-official financial transaction. Accounts shall be supported by fully itemized vouchers, schedules and other supporting documents together with such additional explanations and justifications as may be necessary to support the transactions.

The term "records," as used herein, means the accounting documents, papers, records and books of record which an officer is required to maintain as a permanent record of the financial and related transactions of his office.

Diplomatic, consular, and all other disbursing officers in the Foreign Service shall keep separate general accounts of all moneys of the United States or other moneys coming into their possession, in their official capacities, from any source and for any purpose whatever, and shall render accounts of the same in such manner, on such forms, and at such times as may be prescribed by the Secretary of State. These officers shall keep a general cash book and such other account books as may be required, according to the needs of their offices, to show all details of receipts and expenditures, to insure accuracy, and to enable the principal officers to exercise complete control over the funds of their offices.

§ 105.4 *Disbursing officers and authorized certifying officers—*(a) *Disbursing officers—*(1) *Disbursing officer defined.* The term "disbursing officer" as used in this part means an officer or employee who has been bonded, and delegated authority by the Division of Disbursement, Treasury Department, to perform disbursing functions in the Foreign Service, pursuant to the provisions of Executive Order 6166, dated June 10, 1933, section 4, (5 U.S.C. 124).

(2) *Responsibility of disbursing officers.* Pursuant to the provisions of 31 U.S.C. 82b, disbursing officers shall:

(i) Disburse moneys only upon, and in strict accordance with, vouchers duly certified by the head of the Department, establishment, or agency concerned, or by an officer or employee thereof duly authorized in writing by such head to certify vouchers;

(ii) Make such examination of vouchers as may be necessary to ascertain whether they are in proper form, duly certified and approved; and

(iii) Be held accountable accordingly.

(3) *Officers qualified to disburse and render accounts.* Officers qualified to disburse funds and render accounts are:

(i) All Foreign Service officers;

(ii) All vice consuls not included in (i);

(iii) All special disbursing agents; and

(iv) Ambassadors and ministers, if bonded, when no other disbursing officer is available.

(4) *Officers authorized to disburse.* Officers authorized to disburse are:

#### At Missions

(i) The Foreign Service officer acting as chargé d'affaires ad interim or the ranking Foreign Service officer on duty;

(ii) Any special disbursing agent appointed and designated by the Department;

(iii) An ambassador or minister, if bonded, when no other disbursing officer is available;

(iv) Any of the following officers after recommendation by the chief of mission and advance designation by the Department to perform disbursing functions:

(a) Any Foreign Service officer other than the ranking Foreign Service officer on duty;

(b) Any vice consul at a combined office; and

(c) Any other American officer or clerk who has specially qualified to disburse. Disbursing and certifying functions must be performed by different officers whenever either function is delegated to subordinates.

#### AT CONSULAR OFFICES

(v) The consular officer in charge;  
 (vi) Any special disbursing agent appointed and designated by the Department; and  
 (vii) Any of the following officers after recommendation by the consular officer in charge and advance designation by the Department to perform disbursing functions:  
 (a) Any Foreign Service officer or vice consul other than the officer in charge;  
 (b) Any other American officer or clerk who has specially qualified to disburse.  
 Disbursing and certifying functions must be performed by different officers whenever either function is delegated to subordinates.

(5) *Assistant disbursing officers.* In the event that any disbursing officer (as defined in subparagraph (1) of this paragraph) requires the services of an assistant authorized to sign checks on a local Government depository or on the Treasurer of the United States in the name of the disbursing officer followed by the signature of the assistant, or to render the accounts in the name of the disbursing officer during temporary absences, the need therefor should be explained to the Division of Budget and Finance of the Department by airgram or despatch recommending by name and title the person desired to act as assistant. Any special disbursing officer may nominate a qualified member of the staff for such duty. No person shall act as an assistant disbursing officer who has not been designated as such by the disbursing officer on Treasury Form M-92 furnished by the Department after receipt of the officer's explanation of the need for an assistant and the Department of State and the Treasury Department have approved such designation and the disbursing officer has been notified of the approval. The assistant disbursing officer must be bonded in accordance with the provisions of § 101.7 of this chapter.

(b) *Authorized certifying officers—*  
 (1) *Authorized certifying officer defined.* The term authorized certifying officer for the Department of State means an officer or employee who has been bonded in accordance with § 101.7 of this chapter and who has been authorized by the Secretary of State, in writing, to certify vouchers for payment from the appropriations of this Department pursuant to 31 U.S.C. 82c, 82d and 82f.

(2) *Responsibility of authorized certifying officers.* An authorized certifying officer certifying a voucher shall:

(i) Be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting papers; for the legality of the proposed payment under the appropriation or fund involved; and for the correctness of the computations therein;

(ii) Be required to give bond to the United States, with good and sufficient surety, as provided in § 101.7; and

(iii) Be held accountable for and required to make good to the United States the amount of any illegal, improper, or

incorrect payment resulting from any false, inaccurate, or misleading certificate made by him, as well as for any payment prohibited by law or which did not represent a legal obligation under the appropriation or fund involved.

(3) *Officers and employees authorized to certify vouchers.* The following officers are hereby authorized to certify any voucher chargeable to an appropriation under the control of the Department of State for payment in the United States or abroad:

(i) All Foreign Service officers;  
 (ii) All vice consuls; and  
 (iii) Any bonded ambassador, minister, or other officer or employee, when specially authorized by the Secretary of State to act as an authorized certifying officer, provided the disbursing officer has been notified by the Department of the special authorization.

Certifying and disbursing functions must be performed by different officers whenever either function is delegated to subordinates.

(4) *Who shall certify vouchers for payment.* The ranking Foreign Service officer on duty at a mission or combined office, or the consular officer in charge of a consular office shall certify all vouchers prior to payment by the disbursing officer unless another Foreign Service officer, vice consul, or specially qualified employee has been recommended by the officer in charge of the office and designated by the Department to perform these duties. Any authorized certifying officer may certify his own vouchers for reimbursable travel expenses in proceeding to or from a post under official orders.

#### § 105.5 Officers temporarily in charge.

(a) Where a principal officer is absent temporarily for one or more brief intervals during an accounting period and the officer temporarily in charge during such absence draws no drafts and makes no disbursements, the principal officer may submit the account for the full accounting period and it will be a sufficient accounting by the relief officer if he:

(1) Complies with the provisions relating to fee stamps (see § 105.20);

(2) Executes the certificate for a vice consul or other officer in charge, on the reverse of the principal officer's account current; and

(3) Submits with such certificate a schedule of collections on the form prescribed and a sworn record of fees collected by him supported by the receipt of the principal officer for the amount of such collections turned over to him.

(b) If an officer temporarily in charge makes any disbursements or draws any drafts he shall make a complete accounting for all funds coming into his possession and for all disbursements made during the period.

(c) Except where provision is expressly made therefor, no officer should take over vouchers paid by another officer, charge himself with drafts drawn by another officer, or include such items in his accounts.

§ 105.8 *Special deposits, separate drafts, and separate accounts.* (a) When an officer is instructed to draw a separate draft for a special deposit or for any other purpose he shall not include any other amount on the draft drawn under that authority and, unless otherwise specifically instructed, the draft, the payments made therefrom, and other related transactions shall be accounted for in the regular office accounts.

(b) When an officer is instructed to draw a separate draft and render a separate account he shall not include any other amount on the draft drawn under that authority and he shall prepare and forward to the Department a separate account showing the draft, the payments made therefrom, and other related transactions. When a separate accounting is required the transaction shall not be included in the regular accounts of the office.

§ 105.10 *Appropriations.* Appropriations as used herein are sums made available by acts of Congress for expenditure by the Department of State for specified purposes and, except as otherwise provided by law, sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others. (31 U.S.C. 628.)

§ 105.11 *Deposit of public money.* (a) The Secretary of the Treasury may designate such depositories of public moneys in foreign countries and in the Territories and insular possessions of the United States as may be necessary for the transaction of the Government's business, under such terms and conditions as to security and otherwise, as he may from time to time prescribe: *Provided, That in designating such depositories American financial institutions shall be given preference wherever, in the judgment of the Secretary of the Treasury, such institution is safe and able to render the service required.* (31 U.S.C. 473). When the Secretary of the Treasury has designated a depository of public moneys for use by an office of the Foreign Service, the deposit of public moneys by that office with another banking institution is not authorized.

(b) At posts at which a depository of public moneys has not been designated for their use, officers of the Foreign Service of the United States may when necessary, in their discretion and at their own risk, make temporary deposits of funds on hand and maintain accounts with banking institutions which they may select for the purpose. Nothing in this authorization may be construed to relieve them of complete responsibility to account for official funds coming into their possession.

(c) When official funds are deposited temporarily in a bank, the deposit should be made in the name of and to the credit of the office rather than the officer wherever the banking facilities at a given post permit such practice. Official and personal bank accounts must be kept separate and distinct in all cases.

(d) All officers of the Foreign Service, before depositing funds in a bank of the United States, shall determine that such bank has been delegated as a depository of public moneys received by such officers.

\* \* \* \* \*

§ 105.16 *Other services for which no fee is charged.* In addition to the no-fee requirements contained in the tariff, the following services are to be performed without fee:

(a) Any services which officers may be called upon to perform under Items Nos. 24, 28, 31, 32, 34, 36, 37, and 46 of the Tariff of United States Foreign Service Fees when performed in connection with the settlement of the estate of any employee of the United States dying abroad while on official duty;

(b) Any service which officers may be called upon to perform under Items Nos. 24, 28, 31, 32, 34, 36, and 37 of the Tariff of United States Foreign Service Fees for the use of any person in the collection of claims from the United States, or in connection with any claim or application for service from the United States Veterans' Administration, or from any State or from the Veterans' Administration, for compensation, pensions, back pay, bounty, bonus, or for property loss in the service of the United States; and

(c) Any service performed for the purpose of establishing the right to and obtaining the return of property held by the custodian of alien property.

\* \* \* \* \*

§ 105.21 *Fees for services for foreign governments.* In representing foreign interests, belligerent or otherwise, the United States Government will uniformly apply the following principles with respect to the collection of fees for services performed in connection with such representation:

(a) Notarial services will be performed by diplomatic or consular officers of the United States in connection with the representation of foreign interests as United States services, subject to the Tariff of United States Foreign Service Fees and all such fees shall be paid into the United States Treasury. Notarial services analogous to those performed gratis for American nationals under Items Nos. 25, 29, 38 and 39 of the Tariff of United States Foreign Service Fees may be performed gratis for represented nationals. United States Foreign Service fee stamps shall be used for such services; the services shall be entered in the regular "Record of Fees"; and each service shall be assigned a number from the regular series. Notarial services performed in connection with the representation of foreign interests shall be signed in accordance with the provisions of § 112.4 of this chapter, note 4, and the provisions of the Foreign Service regulations concerning notarial services shall be observed except where they are clearly inapplicable.

(b) All other services performed by diplomatic or consular officers of the United States in connection with the representation of foreign interests shall be performed gratis. Whenever the

gratis service involves a document of any character, a notation to the following effect will be made on the document: "Performed gratis, subject to interested party's settlement with represented Government of fee prescribed by its Tariff." All such gratis services shall be numbered from a separate series of numbers for each Government represented and recorded in a separate Record of Fees headed "Services for the Government of \_\_\_\_\_" maintained for each government represented. An extra copy of each such Record of Fees marked "Copy for the Government of \_\_\_\_\_" shall be submitted to the Department with the regular accounts in order that it may be forwarded to the other government.

§ 105.22 *Fees of consular agents.* (a) Consular agents shall be entitled to retain as compensation one-half of the fees received in their offices provided that in no case shall such compensation exceed \$1,000 per annum. The balance of all fees received shall be accounted for and paid into the Treasury of the United States. (22 U.S.C. 99.)

(b) For official services to American vessels for which no fees are charged consular agents who are compensated by fees must furnish the master of every such vessel with an itemized statement of the services performed on account of said vessel showing the fee prescribed by the Tariff of United States Foreign Service Fees for each service. If the amount received or due consular agents from regular fees collected by them is not equivalent to compensation at the rate of \$1,000 per annum, they will be allowed from the appropriation therefor such additional compensation as they would have received, and would have been entitled to retain to a maximum total compensation of \$1,000, but for the exemption of American vessels from the payment of such fees. (22 U.S.C. 89; 31 U.S.C. 725a (5); 46 U.S.C. 101.) Such services will not be compensated unless they are necessarily rendered. (22 U.S.C. 89.)

(c) Consular agents shall account for fees collected and furnish reports of services to American vessels and seamen, including the fees prescribed therefor, and shall be compensated for such services in accordance with the provisions of these regulations and the instructions of the Secretary of State.

In accordance with Executive Order 9521 of February 13, 1945 (10 F.R. 1991), it is found that the subject matter of those parts of Executive Order 7968 of September 3, 1938 (3 CFR, Cum. Supp., 394) establishing Chapter V, sections 1, 4, 5, 8, 10, 11, 16, 21, and 22 of the Foreign Service Regulations of the United States (Title 22, Cum. Supp., Part 105, §§ 105.1, 105.4, 105.5, 105.8, 105.10, 105.11, 105.16, 105.21, and 105.22 of the Code of Federal Regulations of the United States); the subject matter of that part of Executive Order 8077 of April 4, 1939 (3 CFR, Cum. Supp., 471) amending Chapter V, section 21 of the Foreign Service Regulations of the United States (Title 22, Cum. Supp., Part 105, § 105.21 of the Code of Federal Regulations of the United States); and the subject matter of those parts of Executive Order 8297 of December 4, 1939 (3 CFR, Cum. Supp.,

596) amending Chapter V, sections 16 and 22 of the Foreign Service Regulations of the United States (Title 22, Cum. Supp., Part 105, §§ 105.16 and 105.22 of the Code of Federal Regulations of the United States) are covered by the present regulation which is designed and intended to supersede the above-mentioned parts of Executive Order 7968 of September 3, 1938, of Executive Order 8077 of April 4, 1939, and of Executive Order 8297 of December 4, 1939. In consequence whereof, said parts of Executive Order 7968, Executive Order 8077 and Executive Order 8297 have no further force and effect.

This regulation shall become effective immediately upon filing with the Division of the Federal Register.

Issued: November 6, 1947.

For the Secretary of State.

[SEAL] DONALD RUSSELL,  
Assistant Secretary.

[F. R. Doc. 45-20451; Filed, Nov. 7, 1945;  
11:31 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue

#### Subchapter A—Income and Excess Profits Taxes

[T. D. 5433]

#### PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

#### PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

#### FILING OF APPLICATIONS FOR GENERAL EXCESS PROFITS TAX RELIEF

Regulations 109 (26 CFR, 1941 Supp.) and Regulations 112 (26 CFR, Cum. Supp.) are amended as follows:

PARAGRAPH 1. Section 30.722-5 (a), as amended by Treasury Decision 5393, approved July 31, 1944, is further amended as follows:

(A) By changing the last sentence in the second paragraph to read as follows: "If new grounds in addition to those set forth in such application are relied upon by the taxpayer for relief under section 722 with respect to years beginning in 1940 or 1941, an amendment to the application already filed for such years shall be filed under oath on Form 991 (revised January, 1943)."

(B) By striking out the second sentence in the third paragraph.

(C) By striking out the last sentence in the third paragraph and inserting in lieu thereof the following:

Only one application for relief under section 722 shall be filed for an excess profits tax taxable year. New grounds or additional facts not contained in the original application shall be presented as an amendment to the original application for the taxable year. Any supplemental or additional applications filed after the filing of the original application shall be considered amendments to the original application previously filed. No new grounds presented by the taxpayer after the period of time for filing



a claim for credit or refund prescribed by section 322, and no new grounds or additional facts presented after the disallowance, in whole or in part, of the application for relief and the claim for refund based thereon, will be considered in determining whether the taxpayer is entitled to relief or the amount of the constructive average base period net income to be used in computing such relief for the taxable year.

Prior to final action by the Commissioner on the taxpayer's application for relief, the taxpayer will be given a notice affording it an opportunity to be heard on its application and to submit any information thereon which it deems necessary or desirable. If in the opinion of the Commissioner there has been no substantial investigative action on an application for relief, the Commissioner may on request of the taxpayer permit the taxpayer to withdraw its application. The request for withdrawal of the application for relief shall be in writing and shall be executed by at least two officers empowered to sign for the corporation, and the corporate seal shall be affixed thereto. If the corporation has no seal, the request for withdrawal shall be accompanied by a certified copy of the resolution of the board of directors giving such officers authority to sign the request for withdrawal. If the Commissioner approves the taxpayer's request for withdrawal of its application the case shall be treated as though no application had been filed.

PAR. 2. Section 35.722-5 (a), as amended by Treasury Decision 5393, approved July 31, 1944, is further amended as follows:

(A) By changing the last sentence in the second paragraph to read as follows: "If new grounds in addition to those set forth in such application are relied upon by the taxpayer for relief under section 722, an amendment to the application already filed for such year shall be filed under oath on Form 991 (revised January, 1943)."

(B) By striking out the second sentence in the fourth paragraph.

(C) By striking out the last sentence in the fourth paragraph and inserting in lieu thereof the following:

Only one application for relief under section 722 shall be filed for an excess profits tax taxable year. New grounds or additional facts not contained in the original application shall be presented as an amendment to the original application for the taxable year. Any supplemental or additional applications filed after filing of the original application shall be considered amendments to the original application previously filed. No new grounds presented by the taxpayer after the period of time for filing a claim for credit or refund prescribed by section 322, and no new grounds or additional facts presented after the disallowance, in whole or in part, of the application for relief and the claim for refund based thereon, will be considered in determining whether the taxpayer is entitled to relief or the amount of the constructive average base period net income to be used in computing such relief for the taxable year.

Prior to final action by the Commissioner on the taxpayer's application for relief, the taxpayer will be given a notice affording it an opportunity to be heard on its application and to submit any information thereon which it deems necessary or desirable. If in the opinion of the Commissioner there has been no substantial investigative action on an application for relief, the Commissioner may on request of the taxpayer permit the taxpayer to withdraw its application. The request for withdrawal of the application for relief shall be in writing and shall be executed by at least two officers empowered to sign for the corporation, and the corporate seal shall be affixed thereto. If the corporation has no seal, the request for withdrawal shall be accompanied by a certified copy of the resolution of the board of directors giving such officers authority to sign the request for withdrawal. If the Commissioner approves the taxpayer's request for withdrawal of its application the case shall be treated as though no application had been filed.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) as made applicable by section 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U.S.C. 729 (a))

[SEAL] JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: November 5, 1945.

JOSEPH J. O'CONNELL, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 45-20389; Filed, Nov. 6, 1945;  
1:55 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter XI—Office of Price Administration

#### PART 1309—COPPER

[RMPR 20<sup>1</sup>, Amdt. 5]

#### COPPER SCRAP AND COPPER ALLOY SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 20 is amended in the following respects:

1. Section 9 is revoked.

This amendment shall become effective November 13, 1945.

Issued this 7th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20433; Filed, Nov. 7, 1945;  
11:18 a. m.]

#### PART 1340—FUEL

[MPR 120, Amdt. 151]

#### BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment issued

<sup>1</sup>9 F.R. 756, 4394, 5374; 10 F.R. 2512, 9525.

simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 120 is amended in the following respects:

1. Section 1340.212 (c) is amended by deleting the words "of 18 cents per net ton", appearing after the word "differential" and before the words "is established".

2. Section 1340.213 (e) is amended by deleting the words "of 30 cents per net ton", appearing after the word "differential" and before the words "is established", and by adding a new undesignated paragraph to read as follows:

Strip mines which have been authorized to charge deep mine prices for its coals when sold for rail shipment by orders issued under this § 1340.313 (e) of MPR No. 120 are hereby authorized to charge deep mine prices for its coals sold for truck and wagon shipment when such coals are cleaned and prepared in accordance with the provisions of said orders.

3. Section 1340.215 (c) is amended by deleting the words "of 26 cents per net ton", appearing after the word "differential" and before the words "is established".

This amendment shall become effective November-13, 1945.

Issued this 7th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20434; Filed, Nov. 7, 1945;  
11:18 a. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 47]

### SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 5.17 is added to read as follows:

SEC. 5.17 *Registering units place of registration shall be changed to District Office.* (a) Each District Office shall require that all local Boards located in its district transfer the registration files and all other records of the retailers and wholesalers registered with them to the District Office. The transfer shall be made by forwarding the registration files and all other records of the retailers and wholesalers to the District Office.

(b) When the files of a registering unit have been transferred to a District Office under this paragraph it is considered registered with that District Office and thereafter notwithstanding any other provisions of this order, wherever the word "Board" is used in this order to refer to the Board with which a registering unit is registered it shall be deemed to refer to the District Office where that registering unit is registered. Wherever the word "Board" is used in this order to refer to the Board for the place where the registering unit is lo-

<sup>1</sup>9 F.R. 13641.

TABLE A

[illegible]

2. Section 14, table C, *Retail ceiling prices in each State for all other sales of ice boxes at retail*, is amended by deleting Coolerator Company's Model V-6 and the Ice Cooling Appliance Corporation's Models V-50, V-75-D, V-3 and V-41 ice boxes and the ceiling prices shown therein for those models, and by adding ceiling prices for the 15 new models of ice boxes as set forth below:

TABLE C.

Manufacturer	Brand	Model	Ice capacity	Retail price	Ala-bama	Ari-zona	Arkan-sas	Calif-ornia	Colo-rado	Conn-ecticut	Delaware	District of Columbia	Flori-da	Geor-gia	Idaho	Illi-nois
Chattanooga Stamping & Enameling Co.		75	lbs. 75	\$49.95	\$51.25	\$53.25	\$51.75	\$53.25	\$52.25	\$51.75	\$51.50	\$51.50	\$51.50	\$51.00	\$53.25	\$51.25
Coolerator Co., The	Coolerator	C-7	75	79.50	80.25	80.75	80.25	80.75	80.25	80.50	80.75	80.50	81.00	80.50	80.25	79.50
Ice Cooling Appliance Corp.	Automatic	H-10	75	53.00	53.75	54.50	53.75	54.50	54.00	53.75	53.75	53.75	54.25	54.00	54.00	53.50
Do.	do.	H-12	100	62.50	63.75	65.00	63.75	65.00	64.00	63.75	63.75	63.75	64.25	63.75	63.75	63.25
Do.	do.	H-12 2-D	100	68.50	68.00	69.50	68.00	69.50	68.50	68.00	68.00	68.00	69.00	68.50	69.00	67.50
Do.	do.	H-8	50	42.50	43.25	44.00	43.25	44.00	43.50	43.25	43.25	43.25	43.75	43.50	44.00	43.00
Do.	do.	H-5	25	47.50	48.25	49.00	48.25	49.00	48.50	48.25	48.25	48.25	48.75	48.50	49.00	48.00
Do.	Automatic	H-7	50	56.50	57.25	58.00	57.25	58.00	57.50	57.25	57.25	57.25	58.25	57.75	58.25	57.25
Do.	Automatic	H-9	75	76.95	78.50	80.00	78.50	80.00	79.00	78.50	78.50	78.50	79.00	79.00	79.00	78.00
Do.	Automatic	H-5S	25	49.95	50.75	51.50	50.75	51.50	51.00	50.75	50.75	50.75	51.25	51.00	51.00	50.50
Do.	Automatic	H-7S	50	59.50	60.25	61.00	60.25	61.00	60.50	60.25	60.25	60.25	60.75	60.50	61.00	60.00
Do.	Automatic	H-9S	75	79.95	81.50	83.00	81.50	83.00	82.00	81.50	81.50	81.50	82.00	82.00	83.00	81.00
Do.	Vitalaire	V-5	25	49.95	50.75	51.50	50.75	51.50	51.00	50.75	50.75	50.75	51.25	51.00	51.00	50.50
Do.	Vitalaire	V-7	50	59.50	60.25	61.00	60.25	61.00	60.50	60.25	60.25	60.25	60.75	60.50	61.00	60.00
Do.	Vitalaire	V-9	75	79.50	81.00	82.50	81.00	82.50	81.50	81.00	81.00	81.00	81.50	81.50	82.00	80.50

  

Manufacturer	Brand	Model	Ice capacity	Retail price	Indi-ana	Iowa	Kansas	Ken-tucky	Louis-i-ana	Maine	Mary-land	Massa-chu-setts	Michi-gan	Minne-sota	Miss-issip-pi	Miss-ouri	Montana
Chattanooga Stamping & Enameling Co.		75	lbs. 75	\$49.95	\$51.25	\$51.50	\$53.00	\$51.00	\$51.75	\$52.00	\$51.50	\$51.75	\$51.50	\$51.75	\$51.25	\$51.25	\$53.25
Coolerator Co., The	Coolerator	C-7	75	79.50	80.00	79.50	80.00	79.75	80.75	81.00	80.50	80.75	79.75	79.50	80.25	79.50	80.75
Ice Cooling Appliance Corp.	Automatic	H-10	75	53.00	53.50	53.50	53.75	53.50	54.00	54.00	53.75	54.00	53.50	53.50	53.75	53.50	54.00
Do.	do.	H-12	100	62.50	63.25	63.00	63.50	63.25	64.00	64.00	63.75	63.75	63.25	63.25	63.75	63.25	64.75
Do.	do.	H-12 2-D	100	68.50	67.50	67.50	68.00	67.50	68.50	68.50	68.00	68.00	67.50	67.50	68.00	67.50	69.00
Do.	do.	H-8	50	42.50	43.00	43.00	43.25	43.00	43.50	43.50	43.25	43.50	43.00	43.00	43.25	43.00	44.00
Do.	do.	H-5	25	47.50	48.00	48.00	48.25	48.00	48.50	48.50	48.25	48.50	48.00	48.00	48.25	48.00	49.00
Do.	Automatic	H-7	50	56.50	57.25	57.00	57.50	57.25	58.00	58.00	57.75	57.75	57.25	57.25	57.75	57.25	58.75
Do.	Automatic	H-9	75	76.95	78.00	78.00	78.50	78.00	79.00	79.00	78.50	79.00	78.00	78.00	78.50	78.00	80.00
Do.	Automatic	H-5S	25	49.95	50.50	50.50	50.75	50.50	51.00	51.00	50.75	51.00	50.50	50.50	50.75	50.50	51.50
Do.	Automatic	H-7S	50	59.50	60.00	60.00	60.25	60.00	60.50	60.50	60.25	60.50	60.00	60.00	60.25	60.00	61.00
Do.	Automatic	H-9S	75	79.95	81.00	81.00	81.50	81.00	82.00	82.00	81.50	82.00	81.00	81.00	81.50	81.00	83.00
Do.	Vitalaire	V-5	25	49.95	50.50	50.50	50.75	50.50	51.00	51.00	50.75	51.00	50.50	50.50	50.75	50.50	51.50
Do.	Vitalaire	V-7	50	59.50	60.25	60.00	60.50	60.25	61.00	61.00	60.75	61.00	60.25	60.25	60.75	60.25	61.75
Do.	Vitalaire	V-9	75	79.50	80.50	80.50	81.50	80.50	81.50	81.50	81.00	81.50	80.50	80.50	81.00	80.50	82.50

  

Manufacturer	Brand	Model	Ice capacity	Retail price	Ne-braska	Ne-vada	New Hamp-shire	New Jersey	New Mex-ico	New York	North Caro-lina	North Dakota	Ohio	Okla-homa	Ore-gon	Penn-syl-vania
Chattanooga Stamping & Enameling Co.		75	lbs. 75	\$49.95	\$51.75	\$53.25	\$51.75	\$51.50	\$53.25	\$51.75	\$51.25	\$52.25	\$51.25	\$52.00	\$53.25	\$51.50
Coolerator Co., The	Coolerator	C-7	75	79.50	79.75	80.75	80.75	80.50	80.75	80.25	80.50	79.50	80.00	80.25	80.75	80.25
Ice Cooling Appliance Corp.	Automatic	H-10	75	53.00	53.75	54.50	54.00	53.75	54.50	53.75	53.75	54.00	53.50	54.00	54.00	53.75
Do.	do.	H-12	100	62.50	63.50	65.00	63.75	63.75	65.00	63.75	63.75	63.75	63.00	63.75	63.00	63.50
Do.	do.	H-12 2-D	100	68.50	68.00	69.50	68.50	68.00	69.50	68.00	68.00	68.50	67.50	68.00	68.00	68.00
Do.	do.	H-8	50	42.50	43.25	44.00	43.50	43.25	44.00	43.25	43.25	43.50	43.00	43.50	44.00	43.25
Do.	do.	H-5	25	47.50	48.25	49.00	48.50	48.25	49.00	48.25	48.25	48.50	48.00	48.50	49.00	48.25
Do.	do.	H-7	50	56.50	57.50	59.00	57.75	57.75	59.00	57.75	57.75	57.75	57.00	57.75	57.00	57.50
Do.	do.	H-9	75	76.95	78.50	80.00	79.00	78.50	80.00	78.50	78.50	79.00	78.00	78.00	78.50	79.00
Do.	do.	H-5S	25	49.95	50.75	51.50	51.00	50.75	51.50	51.00	50.75	51.00	50.50	51.00	51.00	50.75
Do.	do.	H-7S	50	59.50	60.25	61.00	60.50	60.25	61.00	60.25	60.25	60.50	60.00	60.50	61.00	60.25
Do.	do.	H-9S	75	79.95	81.50	83.00	82.00	81.50	83.00	81.50	81.50	82.00	81.00	82.00	83.00	81.50
Do.	Vitalaire	V-5	25	49.95	50.75	51.50	51.00	50.75	51.50	50.75	50.75	51.00	50.50	51.00	51.00	50.75
Do.	do.	V-7	50	59.50	60.50	62.00	60.75	60.75	62.00	60.75	60.75	60.75	60.00	60.75	62.00	60.50
Do.	do.	V-9	75	79.50	81.00	82.50	81.50	81.00	82.50	81.00	81.00	81.50	80.50	81.00	82.00	81.00

  

Manufacturer	Brand	Model	Ice capacity	Retail price	Rhode Island	South Carolina	South Dakota	Ten-nessee	Texas	Utah	Vermont	Vir-ginia	Wash-ington	West Vir-ginia	Wis-consin	Wyo-ming
Chattanooga Stamping & Enameling Co.		75	lbs. 75	\$49.95	\$51.75	\$51.25	\$52.25	\$50.75	\$52.25	\$53.25	\$51.75	\$51.25	\$53.25	\$51.50	\$51.50	\$52.50
Coolerator Co., The	Coolerator	C-7	75	79.50	80.75	80.50	79.75	80.00	80.75	80.75	80.75	80.75	80.75	80.25	79.50	80.25
Ice Cooling Appliance Corp.	Automatic	H-10	75	53.00	54.00	54.00	53.75	53.50	54.00	54.00	54.00	53.75	54.00	53.75	53.25	54.00
Do.	do.	H-12	100	62.50	63.75	64.00	63.75	63.50	64.25	64.25	64.00	64.00	63.00	63.00	64.25	64.00
Do.	do.	H-12 2-D	100	68.50	68.50	69.00	68.00	67.50	68.50	68.50	68.00	68.00	67.50	68.00	68.50	68.00
Do.	do.	H-8	50	42.50	43.50	43.50	43.25	43.00	43.50	43.50	43.00	43.25	43.00	43.25	43.50	43.00
Do.	do.	H-5	25	47.50	48.50	48.50	48.25	48.00	48.50	48.50	48.00	48.25	48.00	48.25	48.50	48.00
Do.	do.	H-7	50	56.50	57.75	58.00	57.75	57.50	58.25	58.25	58.00	58.00	58.00	57.50	58.25	58.00
Do.	do.	H-9	75	76.95	79.00	79.00	78.50	78.00	79.00	79.00	79.00	78.50	79.00	78.50	79.00	79.00
Do.	do.	H-5S	25	49.95	51.00	51.00	50.75	50.50	51.00	51.00	51.00	50.75	51.00	50.75	51.00	50.50
Do.	do.	H-7S	50	59.50	60.50	60.50	60.25	60.00	60.50	60.50	60.00	60.25	61.00	60.25	60.75	61.00
Do.	do.	H-9S	75	79.95	82.00	82.00	81.50	81.00	82.00	82.00	81.50	82.00	81.00	81.50	82.00	81.50
Do.	Vitalaire	V-5	25	49.95	51.00	51.00	50.75	50.50	51.00	51.00	51.00	50.75	51.00	50.75	51.00	50.50
Do.	do.	V-7	50	59.50	60.75	61.00	60.75	60.50	61.25	61.25	61.00	61.00	61.00	60.50	61.25	61.00
Do.	do.	V-9	75	79.50	81.50	81.50	81.00	80.50	81.50	82.00	81.50	81.00	82.00	81.00	80.00	81.00

This amendment shall become effective on the 12th day of November 1945.

Issued this 7th day of November 1945.

CHESTER BOWLES,  
Administrator.



## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 85]

## MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised Ration Order 16 is amended in the following respects:

1. Section 5.11 is added to read as follows:

*Sec. 5.11 Wholesalers place of registration shall be changed to District Office.* (a) Each District Office shall require that all local Boards located in its district transfer the registration files and all other records of the wholesalers registered with them to the District Office. The transfer shall be made by forwarding the registration files and all other records of the wholesalers to the District Office.

(b) When the fields of a wholesaler have been transferred to a District Office under this paragraph it is considered registered with that District Office and thereafter notwithstanding any other provisions of this order, wherever the word "Board" is used in this order to refer to the Board with which a wholesaler is registered it shall be deemed to refer to the District Office where that wholesaler is registered. Wherever the word "Board" is used in this order to refer to the Board for the place where the wholesaler is located it shall be deemed to refer to the District Office for the place where the wholesaler is located.

2. Section 6.11 is added to read as follows:

*Sec. 6.11 Retailers place of registration shall be changed to District Office.* (a) Each District Office shall require that all local Boards located in its district transfer the registration files and all other records of the retailers registered with them to the District Office. The transfer shall be made by forwarding the registration files and all other records of the retailers to the District Office.

(b) When the files of a retailer have been transferred to a District Office under this paragraph it is considered registered with that District Office and thereafter notwithstanding any other provisions of this order, wherever the word "Board" is used in this order to refer to the Board with which a retailer is registered it shall be deemed to refer to the District Office where that retailer is registered. Wherever the word "Board" is used in this order to refer to the Board for the place where the retailer is located it shall be deemed to refer to the District Office for the place where the retailer is located.

This amendment shall become effective November 6, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20394; Filed, Nov. 6, 1945; 4:38 p. m.]

\* 10 F. R. 43, 521, 857, 233, 294.

No. 220—2

## TITLE 35—PANAMA CANAL

## Chapter I—Canal Zone Regulations

## PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

## PASSENGER AND CREW LIST REQUIREMENTS

1. Section 4.20, as amended, relating to papers required to be delivered to the boarding party by an arriving vessel, is further amended by decreasing from 8 to 4 the number of copies of passenger lists required, and from 7 to 2 the number of copies of crew lists required (Items (f) and (h), respectively, both columns, in the list of documents required).

2. Section 4.20c, as amended, requiring advance passenger and crew lists by air mail, is revoked.

(Rules 9 and 12, E.O. 4314, Sept. 25, 1925 (35 CFR 4.11 and 4.19))

F. K. NEWCOMER,  
Acting Governor.

OCTOBER 29, 1945.

[F. R. Doc. 45-20408; Filed, Nov. 7, 1945; 9:49 a. m.]

## PART 8—CARRYING AND KEEPING OF ARMS; HUNTING; FISHING

Section 8.12, as added July 25, 1941 (6 F. R. 3969; 35 CFR, Cum. Supp., 8.12), prohibiting hunting in the Canal Zone, is revoked. (5 C. Z. Code 873-875)

F. K. NEWCOMER,  
Acting Governor.

OCTOBER 26, 1945.

[F. R. Doc. 45-20405; Filed, Nov. 6, 1945; 4:49 p. m.]

## TITLE 46—SHIPPING

## Chapter I—Coast Guard: Inspection and Navigation

## Subchapter K—Seamen

## PART 138—RULES AND REGULATIONS FOR ISSUANCE OF CERTIFICATES AND CONTINUOUS DISCHARGE BOOKS

## CERTIFICATES OF SERVICE FOR RATINGS OTHER THAN ABLE SEAMEN OR QUALIFIED MEMBER OF ENGINE DEPARTMENT

By virtue of the authority vested in me by R. S. 4551 as amended, Act March 4, 1915, as amended, act of June 25, 1936 (46 U.S.C. 643, 672, 689), and Executive Order 9083, dated February 28, 1943 (3 CFR Cum. Supp.), the following amendment to the regulations is prescribed:

Section 138.6 is amended by the addition of a new subparagraph (h) reading as follows:

§ 138.6 *Certificates of service for ratings other than able seamen or qualified member of the engine department.* \* \* \*

(h) An applicant for a certificate of service in an entry rating or for an indorsement covering another such rating shall produce satisfactory proof that he has a commitment of employment as a member of the crew of a United States merchant vessel in a capacity covered by

the certificate or indorsement applied for.

Dated: November 6, 1945.

L. T. CHALKER,  
Rear Admiral, U. S. C. G.,  
Acting Commandant.

[F. R. Doc. 45-20447; Filed, Nov. 7, 1945; 11:22 a. m.]

## Notices

## TREASURY DEPARTMENT.

## Bureau of Customs.

[T. D. 51341]

## BRAZILIAN CRUZEIROS

## CONVERSION FOR ASSESSMENT OF DUTIES ON MERCHANDISE IMPORTED INTO THE UNITED STATES

NOVEMBER 6, 1945.

Conversion of Brazilian cruzeiros for the purpose of the assessment of duties on merchandise imported into the United States. T. D. 51283 and T. D. 51310 amended as to deposit of estimated duties.

Reference is made to T. D. 51283 of July 24, 1945, and T. D. 51310 of September 12, 1945, containing instructions for the disposal of certain cases in which appraisement has been suspended or liquidation withheld pending the determination of a proper rate for the Brazilian cruzeiro for customs currency conversion purposes.

It has been determined that in many cases importers of merchandise from Brazil are able to present, at the time of making entry, evidence satisfactory to the collector concerned as to the proper rate or the proper percentages of the exchange to which the free and official rates are applicable. In such cases it is believed that the interests of the Government would be reasonably protected by the collection of estimated duties calculated at such rate or proportionate use of rates.

T. D. 51283 is therefore amended by changing the last sentence thereof to read as follows:

Where, at the time of making entry or upon the acceptance of an amended entry, information is presented to the collector or is in his possession which establishes to his satisfaction the rate or the proportionate use of the free and official rates for the particular importation in accordance with the pertinent requirements of numbered paragraphs 2, 3, and 4 of these instructions, deposit of estimated duties or of any supplemental estimated duties shall be accepted calculated in accordance with that information. Otherwise the deposit of estimated duties or of supplemental estimated duties shall be required on the basis of the official rate of exchange as certified for the date of exportation.

[SEAL]

W. R. JOHNSON,  
Commissioner of Customs.

Approved: November 6, 1945.

HERBERT E. GASTON,  
Acting Secretary of the Treasury.

[F. R. Doc. 45-20403; Filed, Nov. 7, 1945; 10:48 a. m.]

## DEPARTMENT OF AGRICULTURE.

## Office of the Secretary.

PANHANDLE LIVESTOCK COMMISSION CO.,  
AMARILLO, TEX.

## NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Panhandle Auction & Commission Co. stockyard, Amarillo, Texas, posted on September 21, 1939, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, is now operated by Hugh W. Ford and Charley Ford, partners doing business as the Panhandle Livestock Commission Co., and that the name of the yard is now the Panhandle Livestock Commission Co. Therefore, the posted name of the stockyard is changed to Panhandle Livestock Commission Co. and notice of such fact is given to its operators, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Done at Washington, D. C., this 7th day of November 1945.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 45-20448; Filed, Nov. 7, 1945;  
11:26 a. m.]

## FEDERAL POWER COMMISSION.

[Docket No. IT-5969]

BONNEVILLE PROJECT, COLUMBIA RIVER,  
OREGON-WASHINGTON

NOTICE OF REQUEST FOR APPROVAL OF RATES  
AND CHARGES FOR SALE OF POWER FROM  
BONNEVILLE PROJECT

NOVEMBER 5, 1945.

Notice is hereby given that the Administrator of the Bonneville Project has filed with the Federal Power Commission for confirmation and approval, pursuant to the provisions of the Bonneville Act (50 Stat. 731), as amended, a proposed wholesale power Rate Schedule R-1.

This schedule is to apply to at-site and transmission firm power made available by the Government under appropriate contracts to railroads for their own use primarily for traction purposes. The points of delivery shall be so located that the capacity required for the estimated load at each point of delivery shall be not less than 7,500 kva, unless in any particular case the Administrator shall determine that it would be to the interest of the Government to supply lower capacity.

The schedule provides that energy shall be sold at four mills per kilowatt-hour of net energy supplied adjusted for power factor. Such net energy before adjustment for power factor will be determined as the aggregate number of kilowatt-hours delivered to the pur-

chaser's system at all points of delivery less the number of kilowatt-hours received by the Government from the purchaser's system. The energy flowing in both directions will be metered separately as of each point of delivery.

The net minimum charge under this schedule is to be \$0.40 per month times the aggregate kva capacity of all the points of delivery.

The net energy before adjustment for power factor will be increased 1% for each 1% or major fraction thereof by which the average power factor is less than .95 lagging. This adjustment may be waived in whole or in part to the extent that the Administrator determines that a power factor of less than .95 would in any particular case be advantageous to the Government. Unless specifically otherwise agreed, the Administrator shall not be obligated to deliver power at any time at a power factor below .75.

Sales of power under this schedule shall be subject to the provisions of the Bonneville Act and to the General Rate Schedule Provisions except as the terms of section 8 Power factor adjustment of the general rate schedule provisions are modified by this schedule.

Any person desiring to make representations with respect to the foregoing should, on or before November 19, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] J. H. GUTRIE,  
Acting Secretary.

[F. R. Doc. 45-20393; Filed, Nov. 6, 1945;  
3:39 p. m.]

[Docket No. G-580]

## NATURAL GAS INVESTIGATION

## ORDER POSTPONING HEARING

OCTOBER 25, 1945.

It appearing to the Commission that:

(1) The Railroad Commission of Texas and the Steering Committee of the Governor of Texas have requested that the hearing heretofore ordered to be held in Dallas, Texas, commencing at 10 a. m., November 27, 1945, be postponed.

(2) Consultation has been had with the Chairman of the Railroad Commission of Texas and of the Governor's Steering Committee as to an appropriate date for the postponed hearing.

The Commission orders that:

The hearing heretofore scheduled to be held in the Baker Hotel, Dallas, Texas, commencing at 10 a. m., November 27, 1945, is hereby postponed to 10 a. m., December 10, 1945, in the Baker Hotel, Dallas, Texas.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-20453; Filed, Nov. 7, 1945;  
11:45 a. m.]

[Docket No. G-580]

## NATURAL GAS INVESTIGATION

## ORDER FIXING DATES AND PLACES OF HEARING

OCTOBER 30, 1945.

It appearing to the Commission that good cause exists therefor:

The Commission orders that:

(a) A hearing be held in this investigation beginning at 10:00 a. m., February 11, 1946, in Biloxi, Mississippi, at a specific place to be fixed by subsequent order.

(b) A hearing be held in this investigation beginning at 10:00 a. m., February 19, 1946, in Chicago, Illinois, at a specific place to be fixed by subsequent order.

(c) A hearing be held in this investigation beginning at 10:00 a. m., March 19, 1946, in Charleston, West Virginia, at a specific place to be fixed by subsequent order.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-20452; Filed, Nov. 7, 1945;  
11:45 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 86, Order 7]

BARLOW AND SEELIG MANUFACTURING CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 14 of the Maximum Price Regulation No. 86, It is ordered:

(a) This order establishes ceiling prices for sales of the eight models of Speed Queen washing machines manufactured by the Barlow & Seelig Manufacturing Company, Ripon, Wisc.

(1) Distributors shall determine their ceiling prices for sales to dealers of each of the models listed in subparagraph (2) below in accordance with the provisions of section 15 of Maximum Price Regulation No. 86.

(2) The ceiling price for sales by dealers in each zone for the models listed below are as follows:

Model	Dealers' ceiling prices to consumers		
	Zone 1	Zone 2	Zone 3
800.....	Each \$89.95	Each \$104.95	Each \$109.95
700.....	89.95	94.95	99.95
600.....	79.95	84.95	89.95
500.....	69.95	74.95	79.95
400.....	59.95	64.95	69.95
700x.....	109.95	114.95	119.95
600x.....	99.95	104.95	109.95
500x.....	89.95	94.95	99.95

If, at the request of the purchaser, a dealer sells any of the above machines with any of the items of optional equipment listed below, he may add to the applicable ceiling price for the machine shown in the above table an amount no

greater than that set forth below opposite each item of equipment:

	Amount which may be added to the ceiling price
Optional equipment:	
Water pump-----	\$5.00
Gas engine-----	20.00
Direct current motor-----	5.00
Odd frequency motor-----	2.50

In all other respects these ceiling prices are subject to each retail seller's customary terms, discounts, allowances and other price differentials in effect on similar articles.

(b) For purposes of this order Zones 1, 2, and 3 comprise the following states:

**Zone 1:** New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, District of Columbia, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Nebraska, South Dakota, Virginia, and Tennessee.

**Zone 2:** Maine, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Arkansas, Louisiana, North Dakota, and Oklahoma.

**Zone 3:** Washington, Oregon, California, Idaho, Nevada, Montana, Utah, Colorado, Arizona, New Mexico, Texas, Florida, and Wyoming.

(c) At the time of, or prior to, the first invoice to each distributor, the manufacturer shall notify him of the ceiling prices established by this order for resales by the distributor. This notice may be given in any convenient form.

(d) All the provisions of Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order.

(e) Unless the context requires otherwise, the definitions set forth in the various sections of Maximum Price Regulation No. 86 shall apply to the terms used herein.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 7th day of November, 1945.

Issued this 6th day of November, 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20375; Filed, Nov. 6, 1945;  
11:41 a. m.]

[MPR 260, Order 1940]

CORRAL, WODISKA Y CA.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Corral, Wodiska y Ca., P. O. Box 376, Tampa 1, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Reproso	Prados	50	\$3.75	2 for 23
La Marva	do	50	\$3.75	2 for 23
Julia Marlowe	do	50	\$3.75	2 for 23
Reproso	Princess	50	\$4.00	8
La Marva	do	50	\$4.00	8
Julia Marlowe	do	50	\$4.00	8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 7, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20376; Filed Nov. 6, 1945;  
11:42 a. m.]

[MPR 260, Order 1941]

#### HAWTHORNE CIGAR MANUFACTURER AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Hawthorne Cigar Manufacturer, 1407 So. Main Street, Los Angeles, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Al Marla	5 1/2" 4 3/8"	50 50	Per M \$115 75	Cents 15 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 7, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20377; Filed, Nov. 6, 1945;  
11:42 a. m.]

[RMPR 136, Order 529]

POWER KING TOOL CORP.

#### ESTABLISHMENT OF MAXIMUM PRICES

Order No. 529 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Power King Tool Corporation; Docket No. 6083-136.21-590.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of Revised Maximum Price Regulation 136; *It is ordered:*

(a) The maximum prices for sales of wood and metal working tools by Power King Tool Corporation, Warsaw, Indiana, shall be determined as follows:

(1) *List of established price items.* For any of the foregoing tools, or replacement parts therefor, for which the Power King Tool Corporation had a published list price or an established price in effect on October 1, 1941, it shall multiply the maximum price it had in effect to a purchaser of the same class on October 1, 1941, by 120%.

(2) *Formula priced items.* For any other products, the prices of which are determined by the price determining method which the company had in effect on October 1, 1941, the maximum prices shall be the higher of the prices computed under the following subdivisions (i) and (ii):

(i) Power King Tool Corporation shall compute the cost for purchased parts and sub-assemblies used in the fabrication of the product to be priced under section 10 (d) (2) of Revised Maximum Price Regulation 136 and shall reduce the resulting cost figure by 36%. Power King Tool Corporation shall then multiply by 120% the price for the product computed under section 10 (a) of Revised Maximum Price Regulation 136, using as the cost for purchased parts and sub-assemblies the reduced cost computed in accordance with this paragraph.

(ii) Power King Tool Corporation shall compute the maximum prices for the products under section 10 (a) of Revised Maximum Price Regulation 136.

This provision does not waive any obligation on the part of the company to file proposed new list prices so determined with the Office of Price Administration. These prices must be filed on Form 694-2167, stating base date fac-

tors and separately applying the increase permitted by this order.

(b) The maximum prices for sales of wood and metal working tools by resellers shall be determined as follows: The reseller shall increase the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, by the percentage by which his net invoiced cost has been increased due to the adjustment granted the manufacturer by this order.

Where the reseller's practice is to sell at or off of Power King Tool Corporation's list prices, he may continue to sell at or off the list prices as established pursuant to paragraph (a) of this order, applying thereto all discounts, allowances and other terms of sale in effect to a purchaser of the same class just prior to the issuance of this order.

(c) Power King Tool Corporation shall notify each person who buys wood and metal working tools for resale of the amounts by which this order permits the reseller to increase his maximum net prices. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) It is further ordered that Power King Tool Corporation submit not later than May 15, 1946:

(1) Profit and Loss Statement for the three months ended March 31, 1946.

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 6, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20398; Filed, Nov. 6, 1945;  
4:39 p. m.]

[MPR 594, Order 2]

PACKARD MOTOR CAR CO.

#### ADJUSTMENT OF MAXIMUM PRICES

The passenger automobile manufacturers and the Office of Price Administration are now engaged in determining what the maximum prices will be on sales of new passenger automobiles. While this determination is being made, the Packard Motor Car Company wishes to distribute the new automobiles it is currently producing. These automobiles will be distributed to dealers for use as showroom cars. The distribution will be made in part through zones and distributors. The Packard Motor Car Company and its zones and distributors are, therefore, authorized in this order to sell these automobiles at the existing maximum prices under section 6 of Maximum Price Regulation 594 to be adjusted upwards after deliveries are made by the amounts of the differences between those maximum prices and the respective maximum prices the Office of Price Administration may authorize the Packard Motor Car Company and its zones and distributors to charge for the same automobiles

under section 7 or 8 of Maximum Price Regulation 594.

Therefore, in accordance with section 18, Maximum Price Regulation 594, *It is ordered:*

(1) The Packard Motor Car Company, Detroit, Michigan, its zones and its distributors, are authorized to sell and deliver to its zones, distributors and dealers 1945 or 1946 model year automobiles the Packard Motor Car Company manufactures at the maximum prices permitted under section 6 of Maximum Price Regulation 594 to be adjusted upwards after deliveries are made by the amounts of the differences between such maximum prices and the maximum prices the Office of Price Administration may authorize them to charge under section 7 or 8 of Maximum Price Regulation 594.

(2) This order applies only to sales made by the Packard Motor Car Company, its zones, and its distributors and does not apply to sales made by dealers.

(3) This order may be modified or revoked by the Price Administrator at any time.

This order shall be effective November 6, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20403; Filed, Nov. 6, 1945;  
4:38 p. m.]

[MPR 188, Order 54 Under Order 1052]

CALDWELL FURNITURE CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (h) of Order 1052 under §1499.159b of Maximum Price Regulation No. 183 and section 6.4 of Second Revised Supplementary Regulation No. 14, it is ordered:

(a) *Manufacturer's maximum prices.* Caldwell Furniture Company, Lenoir, North Carolina, may sell and deliver to retailers the following furniture articles which it manufactures, at the following adjusted maximum prices:

Article	Model No.	Current maximum price	Adjusted maximum price	Adjustment charge permitted by paragraph (d) of order 1052	Total adjusted maximum price
Dresser.....	3707	\$18.65	\$20.42	\$0.74	\$20.00
Chest.....	3532	15.25	16.60	.44	17.04
Bed.....	3562	12.86	14.11	.37	14.48
Vanity.....	3575	10.80	11.43	.67	12.00
Dresser.....	6711	15.75	16.98	.46	17.43
Chest.....	6730	11.25	12.14	.33	12.47
Robe.....	6746	16.40	18.18	.47	18.65
Bed.....	6762	9.65	10.86	.23	11.14
Vanity.....	6778	18.60	20.20	.64	20.74
Dresser.....	6911	18.60	20.14	.64	20.69
Chest.....	6932	13.70	14.92	.40	15.32
Robe.....	6946	19.65	21.66	.65	21.61
Bed.....	6962	11.25	12.69	.33	12.63
Vanity.....	6978	23.45	25.38	.68	25.60
Dresser.....	7211 and 7311	20.60	22.67	.61	23.28
Chest.....	7230 and 7330	14.95	16.13	.43	16.60
Robe.....	7246 and 7346	21.40	22.89	.62	23.61
Bed.....	7262 and 7362	11.70	12.93	.34	13.27
Vanity.....	7277 and 7377	25.35	27.35	.74	28.09

The adjustment charge permitted by paragraph (d) of Order No. 1052 may be made and collected only if it is separately stated on each invoice. The adjusted maximum prices apply on sales to the same class of purchaser as that which the "current maximum price" applies.

(b) *Maximum prices of purchasers for resale.* Purchasers for resale of any article listed about shall determine their maximum resale prices in the following manner:

(1) A retailer who must determine his ceiling prices under Maximum Price Regulation No. 580 by the use of a pricing chart shall compute his ceiling prices in the manner provided by that regulation.

(2) A wholesaler who must determine his ceiling prices under Maximum Price Regulation No. 590 shall find his ceiling price in the manner provided by that regulation.

(3) A purchaser for resale who must determine his maximum prices under the General Maximum Price Regulation, and who delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable article" contained in § 1499.3 (a) of that regulation, except that it need not be currently offered for sale, shall find his ceiling prices according to the method and procedure set forth in that section using as his "cost" his invoice cost, but not including any separately stated adjustment charge. To the price so computed a wholesaler may add the adjustment charge permitted by Order No. 1052 under Maximum Price Regulation No. 188 in the manner and amount provided in that order.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(4) If a purchaser for resale cannot determine his ceiling price under any of the above methods, he shall apply to the Office of Price Administration for the establishment of his ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances, on sales to each class of purchaser in effect during March 1942, or thereafter properly established under OPA regulations.

(d) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form and is in addition to any notice required by paragraphs (d) or (e)

of Order No. 1052 under Maximum Price Regulation 188.

(e) All requests not specifically granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 6th day of November 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20399; Filed, Nov. 6, 1945;  
4:39 p. m.]

[Admin. Notice 20]

#### WATERMELONS

#### NOTICE TO VEGETABLE GROWERS OF PROPOSED MAXIMUM PRICES

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers that he proposes to lower maximum prices of watermelons as follows:

	Maximum price per ten, f. o. b. country shipping point	
	New in effect	Proposed
Beginning of season-June 4.....	\$45	\$49
June 5-June 29.....	45	34
June 30-July 4.....	45	25
July 5-end of season.....	25	25

The Administrator proposes to maintain for other grower sales the maximum price differentials that are established in Appendix H of Maximum Price Regulation 426. Maximum prices for delivered sales will as before be based on the maximum prices f. o. b. country shipping point on the date of shipment of the particular goods being priced.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-50397; Filed, Nov. 6, 1945;  
4:38 p. m.]

[RMPR 136, Order 530]

#### INGOT MOLDS

#### ADJUSTABLE PRICING

For the reasons set forth in an opinion, issued simultaneously herewith, and filed

with the Division of the Federal Register, and pursuant to section 23 of Revised Maximum Price Regulation 136, It is ordered:

Subject to agreement with their customers, and further subject to the limitation stated below, manufacturers of ingot molds are authorized to deliver ingot molds and ingot mold accessories at prices which may be adjusted upward in accordance with the action to be taken by the Office of Price Administration either increasing the maximum prices of ingot molds and ingot mold accessories, or suspending such prices from price control. The maximum prices which may be quoted or charged by a manufacturer, pursuant to this authorization, shall be the price determined by adding the amount reflecting the increases in the prices of pig iron, authorized by Amendment No. 10 and Amendment No. 11 to Revised Price Schedule 10 (Pig Iron) to the maximum price charged by such manufacturer on October 1, 1941. However, the manufacturer may not receive payment in excess of the maximum price in effect at the time any ingot mold or accessory is delivered until final action is taken by the Office of Price Administration.

This order shall become effective November 6, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20401; Filed, Nov. 6, 1945;  
4:40 p. m.]

[2d Rev. MPR 195, Amdt. 1 to Order 9]

#### TOBACCO HOGSHEAD MATERIAL

#### ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 7a of 2d Revised Maximum Price Regulation 195, It is ordered:

Order 9 under section 7 (a) of 2d RMPR 195 is amended by adding a proviso to paragraph (c) to read as follows:

*Provided, however,* That until and including December 31, 1945, the maximum prices for "Southern Fine Tobacco Hogshead Material" f. o. b. plant, notwithstanding any other provision of this order, shall be as follows:

	No. 1	No. 2
Jointed and beveled stave 1/2" full.....	\$18.00 per MSF.	\$41.00 per MSF.
Unjointed and unbeveled 1/2" full.....	\$44.00 per MSF.	\$57.00 per MSF.
Jointed and beveled stave 3/4" full.....	\$43.00 per MSF.	\$56.00 per MSF.
Unjointed and unbeveled 3/4" full.....	\$50.00 per MSF.	\$62.00 per MSF.
Circled heads full 3/4" or 2 1/2".....	\$1.19 cash.	\$0.65 cash.
Beveled crosspieces or battens.....	\$0.53 1/2 cash.	\$0.67 1/4 cash.
Liners.....	\$0.09 cash.	
Export tobacco box.....	\$3.00 cash.	
Uncircled heading material.....	\$7.00 per M' net board measure.	

This amendment No. 1 to Order No. 9 shall become effective November 6, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20400; Filed, Nov. 6, 1945;  
4:40 p. m.]

[MPR 244, Order 83]

#### GRAY IRON CASTINGS

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with § 1421.164 (a),



(3) (ii) of Maximum Price Regulation No. 244, *It is ordered:*

(a) Any person who sells gray iron castings as ingot molds and ingot mold accessories is hereby considered a regular manufacturer of another commodity, to wit, ingot molds and ingot mold accessories, and is excluded from the coverage of Maximum Price Regulation No. 244 with respect to his sales of such commodities: *Provided*, That he meets and continues to meet the requirements of (a) and (b) of § 1421.164 (a) (3) (ii) of Maximum Price Regulation No. 244.

(b) The word "person" as used in this order shall have the same meaning as that given thereto in § 1421.164 (a) (6) of Maximum Price Regulation No. 244.

(c) This order may be amended or revoked at any time.

This order shall become effective November 6, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20402; Filed, Nov. 6, 1945;  
4:40 p. m.]

[SO 108,<sup>1</sup> Special Order 7]

#### OPTIONAL USE OF ORIGINAL SO 108 CATEGORIES

An opinion accompanying this Special Order No. 7, under section 17 of Supplementary Order 108 has been issued simultaneously herewith and filed with the Division of the Federal Register.

**SECTION 1. Purpose of this order.** This order creates an option for manufacturers of those categories of SO 108 which were divided by amendment 5 on September 20, 1945. These manufacturers may, under stated circumstances, use the original categories or the new categories created by the amendment in operating under SO 108.

**SEC. 2. Who may use the option—(a) Manufacturers who filed maximum average price charts containing one or more of the original categories divided by amendment 5.** If you filed a maximum average price chart containing one or more of the original categories (later divided by amendment 5 to SO 108), you may, if you wish, compute your weighted average price and your surcharge or credit at the end of the 3rd quarter of 1945 only, either on the basis of the original category prior to the division or on the basis of the categories created by amendment 5. On and after October 1, 1945, you must use the new categories as described in amendment 5 for all purposes.

(b) *Manufacturers who received an order under section 9 authorizing a MAP for one or more of the original categories (later divided by amendment 5).* If you received an order under section 9 of SO 108 authorizing a MAP for one or more of the original categories (later divided by amendment 5) you may continue to deliver under that order until it is amended or revised by the OPA. If you do not wish to continue to deliver under

that order, you may file an application under section 9 for authorization of maximum average prices for the new categories. If you wish this amended or revised order issued under section 9 to be effective for the 4th quarter of 1945, you must file your application on or before November 15, 1945 and state therein that you wish such order to be effective for the 4th quarter of 1945. Otherwise, this amended or revised order issued under section 9 will be effective on and after January 1, 1946.

**NOTE:** All record keeping and reporting requirements of this special order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective November 6, 1945.

Issued this 6th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-20404; Filed, Nov. 6, 1945;  
4:40 p. m.]

#### Regional and District Office Orders.

[Region II Basic Order 1 Under RMPR 251]

#### INSTALLED RE-SIDING AND RE-ROOFING AND RELATED AND INCIDENTAL CONSTRUCTION WORKS IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by section 9 of Revised Maximum Price Regulation No. 251 and by Revised Procedural Regulation No. 1, it is hereby ordered:

(a) *What this order does.* This basic order puts into one document the provisions which will be common to all future orders establishing flat (dollars-and-cents) maximum prices for installed re-siding and re-roofing and related and incidental construction work to be issued by the New York Regional Office, Region II pursuant to the authority contained in section 9 of Revised Maximum Price Regulation No. 251. The orders to be issued under this basic order are referred to herein as "adopting orders" and when issued will expressly adopt the provisions of this basic order. Various area orders have heretofore been issued under section 9 of Revised Maximum Price Regulation No. 251, fixing maximum prices for installed re-siding and re-roofing and related and incidental construction work in various areas within the Region. These orders remain in full force and effect in the areas covered thereby. The provisions of Revised Maximum Price Regulation No. 251 cover all sales of installed re-siding and re-roofing and related and incidental construction work in all areas not covered by these orders unless and until adopting orders are issued under this order. When such adopting orders are issued they will supersede the provisions of sections 6, 7 and 8 of Revised Maximum Price Regulation No. 251 with respect to installed sales of re-siding and re-roofing and related and incidental construction work.

(b) *Transactions covered by this order.* This order covers all sales of composition re-siding and re-roofing on an installed basis together with accessories on residential structures and also includes related and installed construction work when sold by installers of re-siding and re-roofing whether such sale is made as a part of a general contract or not.

The term "composition re-siding" includes asphalt shingle re-siding, asbestos cement re-siding, insulated brick or stone re-siding and roll brick re-siding but shall not include wood shingles or wood re-siding.

The term "re-roofing" includes composition re-roofing such as asphalt shingles and mineral surface roll re-roofing and smooth surface roll re-roofing but does not include wood, metal or slate re-roofing.

The term "related" and "incidental" construction work means any installation of building materials or construction work other than installed re-roofing and re-siding, when sold by installers of re-roofing and re-siding.

(c) *Relationship of this order and all adopting orders to Revised Maximum Price Regulation No. 251.* The provisions of this order when and if adopting orders are issued supersede sections 6, 7 and 8 of Revised Maximum Price Regulation No. 251 with respect to sales of re-roofing and composition re-siding on an installed basis on residential structures and with respect to related and incidental construction work sold by installers of composition re-siding and re-roofing on an installed basis in the areas affected by such adopting orders. All other provisions of Revised Maximum Price Regulation No. 251 are applicable to transactions subject to this order unless otherwise provided in this order.

On and after the effective date of any adopting order issued under this basic order, regardless of any contract or other obligation no person shall sell, offer to sell or deliver composition re-siding and re-roofing on residential structures on an installed basis or related and incidental construction work as herein defined in the area covered by such adopting order at prices higher than those established by such adopting order: *Provided*, That deliveries made not more than thirty days after the effective date of any such adopting order on bona fide contracts executed prior to the effective date of such adopting order shall not be considered violations of such adopting order or of this order.

An employer paying or about to pay labor rates higher than those in effect for him on the effective date of any adopting order under this basic order by reason of the predetermination of wage rates by the Secretary of Labor under the Davis-Bacon Act or any order or authorization of the Wage Adjustment Board, National War Labor Board, Economic Stabilization Director or any Board or officer performing the functions of the Boards and officers above named may file an application for an amendment of such adopting order to reflect such increased labor rates. Such a petition for amendment shall conform in all respects to the provisions of Revised Pro-

<sup>1</sup> 10 F.R. 4336, 5995, 6402, 8368, 10200, 12089, 12984.

cedural Regulation No. 1 except that it shall be filed with the New York Regional Office of the Office of Price Administration.

(d) *Pricing provisions applicable to adopting orders.* The maximum prices to be fixed by adopting orders under this basic order shall be upon a price per square basis for re-roofing and re-siding and separate charges will be stated for extras.

On all sales of composition re-siding and re-roofing on an installed basis covered by any adopting order under this basic order, where the maximum price of the entire job figured in accordance with such adopting order is less than \$50.00, the seller may make a minimum charge of \$50.00.

On all sales of composition re-siding and re-roofing on an installed basis covered by any adopting order issued under this basic order an additional charge of 50% of the maximum price per square may be made for the actual areas only which consist of the following on re-siding jobs: bay windows, towers, eye brows, dormer gables and dormer cheeks, porch columns, bulkheads and arches; on re-roofing jobs—towers, eye brows, bay windows, overhangs and shelves.

(e) *Guaranteed price.* A seller may sell a composition re-siding or re-roofing job covered by any adopting order issued under this basic order on the basis of a guaranteed price but such guaranteed price must not be higher than the maximum price figured in accordance with the pricing methods and requirements of the applicable adopting order and of this basic order.

(f) *Related and incidental construction work.* If on any job, any installed building materials are furnished or any construction service performed by the seller, other than composition re-siding and re-roofing, the cost of such work shall not be included in the cost of installed composition re-siding and re-roofing, but shall be separately priced and billed on all invoices. The maximum price of any such related and incidental work shall be determined under Revised Maximum Price Regulation No. 251.

(g) *Measurements.* It shall be the seller's responsibility to measure with reasonable accuracy the area or footage to be covered. A "measurement with reasonable accuracy" shall be considered to have been made if the price based on such estimate does not vary by more than 10% from the maximum price computed under the terms of this order and of the applicable adopting order.

(h) *Notification.* Every person making sales subject to an adopting order issued under this basic order shall, if requested by the purchaser, make available to the purchaser a copy of this order, applicable adopting order, and a copy of Revised Maximum Price Regulation No. 251. Upon completion of any contract for installed re-siding and/or re-roofing, and/or related and incidental construction work, the seller, if requested by the purchaser, must furnish to him an itemized statement showing the number of squares, the maximum price per square of re-siding and re-roofing installed, a list of all extras and

the quantities and price of each and a separate statement of any related and incidental construction work other than installed re-siding and re-roofing giving a description of such work and an itemized statement of the prices thereof. The seller shall also include in such statement the date on which the installation was completed, the names and addresses of the sellers and buyers and the terms of sale.

(i) *Evasion.* Any practice or device which results in a higher price to the purchaser of composition re-siding and re-roofing on an installed basis and/or related and incidental construction work than is permitted by an applicable adopting order under this order is as much a violation as an outright over ceiling charge and subjects the seller to all the penalties provided by Revised Maximum Price Regulation No. 251.

(j) *Records.* All sellers of installed composition re-siding and re-roofing and/or related and incidental construction work covered by any adopting order issued under this basic order must keep records concerning each sale subject to such order, including the name and address of the purchaser, the location of the job, the date of the transaction, a description of the materials and services involved, the number of squares and price per square of re-siding and re-roofing, a list of all extras permitted under such order with the quantity and price of each, and a separate statement of any related and incidental construction work. All such records shall be made available for inspection by representatives of the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(k) *Revocation or amendment.* This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective immediately.

Issued this 29th day of October 1945.

LEO F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 45-20381; Filed, Nov. 6, 1945; 1:44 p. m.]

[Region II Order G-20 Under RMPR 165, Amdt. 4]

#### LAUNDRY SERVICES IN NEW YORK METROPOLITAN AREA

The applications of a group of power laundry establishments in the New York Metropolitan area for adjustment of their maximum prices for their family laundry services were considered by this Office and these applications were granted in Order No. G-20 dated June 7, 1945, as amended, issued under section 16 (a) of Revised Maximum Price Regulation No. 165, as amended—Services by the New York Regional Office.

For the reasons set forth in the opinion issued simultaneously herewith, it has been decided that said Order No. G-20, as amended, be further amended in certain respects. Accordingly, pursuant to the Emergency Price Control Act of 1942,

as amended, and section 16 (a) of Revised Maximum Price Regulation No. 165, as amended—Services; It is hereby ordered, That:

(1) Order No. G-20, as amended, and more particularly paragraph (1) thereof, is amended by adding thereto the name of the following power laundry establishment with the stated percentage of increase:

Permitted  
increase  
(percent) 9

Name:

Sandford Laundry, Inc.-----

(2) Order No. G-20, as amended, and more particularly paragraph (1) thereof, is further amended as follows: As to Duplex Laundry, Inc., 1125 Irving Avenue, Brooklyn, New York, by changing the percentage figure set opposite said name from 2% to 7%; as to Good Will Steam Laundry, Inc., 52 Grafton Street, Brooklyn, New York, by changing the percentage figure set opposite said name from 1% to 7%.

(3) All of the above mentioned applicants shall be subject in all respects to all the provisions of said Order No. G-20 as amended, and except as therein or herein otherwise provided, shall remain in all respects subject to the provisions of Maximum Price Regulation No. 165, as amended—Services.

(4) This amendment may be revoked by the Price Administrator or by the Regional Administrator of Region II through the issuance at any time hereafter of any regulation, order, amendment or supplement thereto.

(5) All of the provisions of Order No. G-20, as amended, shall remain in full force and effect except as herein modified.

This amendment shall become effective immediately.

Issued the 31st day of October 1945.

LEO F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 45-20382; Filed, Nov. 6, 1945; 1:44 p. m.]

[Little Rock Order G-1 Under Supp. Service Reg. 43 to RMPR 165]

#### COTTON PICKING SERVICES IN ARKANSAS

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Little Rock District Office of the Office of Price Administration under Delegation of Authority No. 75 issued under Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the services of picking, pulling and snapping cotton when supplied by independent contractors in the counties of: Arkansas, Ashley, Chicot, Clay, Craighead, Crittenden, Cross, Dasha, Drew, Green, Jefferson, Lee, Lincoln, Lonoke, Mississippi, Monroe, Phillips, Poinsett, Prairie, Pulaski and St. Francis, Arkansas. The above area to be covered in this order is identical with that covered by the Order of the United States Department of Agriculture. This order also defines

"limited service contractors" and "full service contractors".

(b) *Maximum prices.* The maximum prices which a limited service contractor may charge in the area defined in (a) for services in connection with the picking of well-picked, clean seed cotton, and the pulling or snapping of cotton are established as follows:

(1) Limited service contractors may add to the amount per 100 pounds paid to cotton pickers, provided pickers wages do not exceed the wage ceilings established by the United States Department of Agriculture (\$2.05 per cwt. for picking, and \$1.15 per cwt. for pulling or snapping), the following amounts:

(i) Recruiting and hauling pickers 15 miles or less, 20 cents per 100 pounds of seed cotton picked, pulled or snapped.

(ii) Hauling pickers in excess of 15 miles, one cent per 100 pounds of seed cotton picked or pulled.

(iii) Weighing in the field and keeping picking records, field weights, etc., three cents per 100 pounds of seed cotton.

(iv) Hauling seed cotton to gin, seven cents per 100 pounds of seed cotton hauled.

Limited service contractors' maximum price would therefore be the sum of the amount per 100 pounds paid to pickers not to exceed wage ceilings, plus the permitted additions shown above.

(2) Full service contractors may add to the amount per 100 pounds paid to pickers, provided pickers' wages do not exceed the wage ceiling established by the United States Department of Agriculture (\$2.05 per cwt. for picking, and \$1.15 per cwt. for pulling or snapping), the following amounts:

(i) Thirty cents per 100 pounds of seed cotton picked, pulled or snapped, and;

(ii) Hauling pickers in excess of 15 miles, one cent per 100 pounds of seed cotton picked, pulled or snapped.

(3) Maximum prices herein established shall include the following services to be rendered growers and pickers by such independent contractors, at the contractors' own expense:

(i) Securing cotton pickers;

(ii) Hauling cotton pickers to the field;

(iii) Supervising the picking of the cotton;

(iv) Supplying drinking water to the pickers in the field;

(v) Weighing the cotton in the field and keeping records of the field weights by each picker;

(vi) Hauling the cotton to the gin, and;

(vii) Full payment of all wages under the contract.

(4) *Extra services.* No extra charge may be made by an independent contractor for the performance of services other than those listed in subparagraph (3).

(c) *Prohibited practices.* All practices which are designed to obtain prices higher than the maximum prices established under this order are prohibited, including, but not limited to, the giving or offering of a bonus to an independent contractor by a cotton producer, gin operator or other person, and the de-

manding or receiving of a bonus from a cotton producer, gin operator, or other person, by an independent contractor.

(d) *Record keeping.* Independent contractors who supply services subject to this order are required to keep the following records and make them available for inspection upon request from authorized officials of the Office of Price Administration, or officials of the United States Department of Agriculture:

(1) Name and address of producers to whom services subject to this order are supplied.

(2) Number of pounds of cotton picked for each producer.

(3) The amount per 100 pounds paid to pickers by independent contractors and the field weights on which such payments were made.

(4) The amount of payment received from producers for services supplied pursuant to this order.

(e) *Definitions and terms used in this order.* "Limited service contractor" as used in this order, refers to an independent contractor who merely recruits and transports pickers to and from cotton fields. "Full service contractor" as used in this order refers to an independent contractor who performs services in addition to those performed by a limited service contractor such as supervising the pickers, supplying drinking water, weighing, keeping required records, hauling and payment of wages to the pickers.

This order may be revoked, revised or modified at any time by the Office of Price Administration.

This order shall remain in effect for a period of 90 days from the issuance hereof. However, this order may be continued in effect by amendment issued either prior to or after the expiration of the 90-day period.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Little Rock, Arkansas, and effective this 12th day of October 1945.

ROBERT P. HALL,  
District Director.

[F. R. Doc. 45-20383; Filed, Nov. 6, 1945; 1:44 p. m.]

#### [Region VIII Order G-7 Under MPR 579, Revocation]

#### REX SOLE IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the Regional Administrator by sections 4.2 (c), 2.2 (c), and 4.13 (c) of Maximum Price Regulation No. 579, Order No. G-7 under Maximum Price Regulation No. 579 is hereby revoked.

This order of revocation shall become effective October 31, 1945.

Issued this 26th day of October 1945.

BEN C. DUNIWAY,  
Regional Administrator.

[F. R. Doc. 45-20388; Filed, Nov. 6, 1945; 1:45 p. m.]

[Region VIII Order G-7 Under RMPR 122, Amdt. 6]

#### SOLID FUELS IN TACOMA, WASH., AREA

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-7 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Tables IV, V, VI, and VII in paragraph (b) (1) are amended by deleting from each the following footnote:

(1) NOTE: The maximum prices listed above for bulk sales are increased by 10¢ per half ton, or 20¢ per ton.

This amendment to Order No. G-7 shall become effective November 1, 1945.

Issued this 26th day of October 1945.

BEN C. DUNIWAY,  
Regional Administrator.

[F. R. Doc. 45-20385; Filed, Nov. 6, 1945; 1:45 p. m.]

[Region VIII Rev. Order G-2 Under RMPR 122, Amdt. 3]

#### SOLID FUELS IN SEATTLE, WASH., AREA

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-2 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. Tables V, VI, VII, VIII, and IX in paragraph (b) (1) are amended by deleting from each the following footnote:

(1) NOTE: The maximum prices listed above for bulk sales are increased by 10¢ per half ton, or 20¢ per ton.

This amendment to Revised Order No. G-2 shall become effective November 1, 1945.

Issued this 26th day of October 1945.

BEN C. DUNIWAY,  
Regional Administrator.

[F. R. Doc. 45-20384; Filed, Nov. 6, 1945; 1:44 p. m.]

[Region VIII Rev. Order G-6 Under MPR 418, Amdt. 10]

#### FRESH FISH AND SEAFOOD IN SAN FRANCISCO REGION

An opinion accompanying this amendment has been issued simultaneously herewith.

Revised Order No. G-6 under Maximum Price Regulation No. 418, as amended, is amended in the following respects:

1. The text of Revised Order No. G-6, comprising paragraphs (a), (b), (c), and (d), is amended to read as follows:

(a) *Listed fresh fish and seafood items.* The items covered by this order, hereafter referred to as "listed fresh fish and seafood items," are: live crab, cooked crab in shell, crabmeat, lobster (live), and smelt. This order shall apply to Region VIII of the Office of Price Administration,

(1) *Sales by producers.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table A of the appendices attached hereto and the appropriate footnotes contained therein.

(2) *Sales by primary fish shipper wholesalers—(i) Undelivered.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table B of the appendices attached hereto and the appropriate footnotes contained therein.

(ii) *Delivered—(a) At ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table B of the appendices attached hereto and the appropriate footnotes contained therein.

(b) *To localities other than ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be the prices at the basing point port of entry specified in Table B of the appendices attached hereto and the appropriate footnotes contained therein for the particular fresh fish and seafood items, and for the localities indicated, plus freight to the purchaser's place of business. If more than one basing point port of entry is specified for the same item for the same localities, the maximum price shall be the lowest amount resulting when prices are computed according to this method from each of such basing points.

(3) *Sales by wholesalers other than primary fish shipper wholesalers to other wholesalers.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices set forth in subparagraph (a) (2) above, plus one cent per pound.

(4) *Sales by all other wholesalers except to other wholesalers—(i) Undelivered—(a) At ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be as set forth in Table D of the appendices attached hereto and the appropriate footnotes contained therein.

(b) *At localities other than ports of entry.* The maximum prices for such sales of listed fresh fish and seafood items shall be the maximum prices at the basing point port of entry specified for the particular fresh fish or seafood item plus freight from the basing point port of entry to the wholesaler's place of business. Where more than one basing point port of entry is specified for the same localities, the maximum price shall be the lowest amount resulting when prices are computed according to this method from each of such basing points.

(ii) *Delivered—(a) Deliveries by common carrier.* The maximum prices for such sales of listed fresh fish and seafood items shall be the applicable prices for undelivered sales as specified in subparagraph (4) (i) (a) or (4) (i) (b) above, plus actual transportation charges to the premises of the buyer.

(b) *Deliveries by means other than common carrier.* The maximum prices for such sales of listed fresh fish and

seafood items shall be the applicable prices for undelivered sales as specified in subparagraph (4) (i) (a) or (4) (i) (b) above, plus a transportation allowance calculated from the wholesaler's place of business as follows:

Deliveries made—	Cents per pound
Within the local delivery zone—	0.015
Beyond the boundary of local delivery zone but not exceeding 59 miles—	.62
More than 59 but not exceeding 100 miles—	.6225
More than 100 but not exceeding 175 miles—	.625
More than 175 miles—	.6275

(5) *Additions to maximum prices—*

(i) *Broken-lot charges.* When wholesalers other than primary fish shipper wholesalers pack listed fresh fish or seafood items for sale to retailers or purveyors of meals in amounts less than 125 pounds, consisting of at least two varieties, a charge of  $\frac{1}{2}$  cent per pound may be added to the maximum prices established under subparagraph (3) and (4) above.

(ii) When any seller except a producer sells listed fresh fish or seafood items in containers which become the property of the buyer, he may add one cent per pound to his maximum price: *Provided, however,* That any wholesaler who has incurred or paid a container charge to his supplier for the particular lot of fresh fish or seafood being priced may add one cent per pound to his maximum price whether he sells such fresh fish or seafood in containers or otherwise.

(iii) *Container charges.* When any seller except a producer processes fresh fish or seafood items which he purchased in containers, he may add to his established maximum prices amounts not to exceed three cents per pound which will enable him to recover the full amount of the container charge paid by him.

(6) *Sales to canners.* Notwithstanding the foregoing provisions, the maximum prices of listed fresh fish and seafood items sold to canners shall be those provided for sales by producers.

(b) *Definitions.* (1) "Crab" means all crab caught off the Pacific Coast.

(2) "Lobster" means the species *Panulirus interruptus* caught off the Pacific Coast.

(3) "Smelt" means the species *Eulachon* or *Thaleichthys Pacificus* caught in the Columbia River and its tributaries located in Region VIII.

(4) "Region VIII of the Office of Price Administration" means the States of California, Washington, Nevada, Oregon (except Malheur County), and Arizona (except those portions of Coconino County and Mohave County lying north of the Colorado River), and the following Counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

(5) "Local delivery zone" for any wholesaler means that area contained within the city limits of the locality where the wholesaler's place of business is located, except that

(i) The Portland, Oregon, local delivery zone shall include the area within the city limits of Portland, North Portland, and Faloma, Oregon, and Vancouver, Washington.

(ii) The Oakland, California, local delivery zone shall include the cities of Oakland, Alameda, Berkeley, Emeryville, Piedmont, and Albany, California.

(6) A "port of entry" is any place at which the particular species of fish or seafood is regularly landed by fishermen, except that in the case of imported fish the port of entry is the place at which the fish enter the United States.

(7) "Freight" means cost of transportation by the cheapest available method of transportation but not exceeding the lowest available common carrier rate. Freight charges may include the actual cost of refrigeration and other protective services, but not local cartage or unloading. The transportation tax imposed by section 620 of the Revenue Act of 1942 may be added.

(8) "Primary fish shipper wholesaler" means any person who purchases fresh fish or seafood items from a producer, and sells such fish boxed, barreled, or in bulk to wholesalers or chain store warehouses: *Provided, however,* That any person making a sale of imported fish in bulk shall be deemed a primary fish shipper wholesaler.

(9) "Delivered" refers to physical transportation of any listed fresh fish and seafood items to the premises of the buyer except in the case of shipment by rail, and in such case "delivery" means transportation to the buyer's customary receiving point.

(10) "Undelivered" refers to any sale other than a delivered sale.

(11) All other terms used in this order shall have the same meaning as set forth in Maximum Price Regulation No. 418, as amended, unless the context clearly indicates otherwise.

(c) *General provisions.* The provisions of Maximum Price Regulation No. 418, as amended, contained in section 7 (Maximum Prices for Retail Sales by Producers and Wholesalers), section 11 (Sales to Governmental Agencies), section 14 (Relation to Other Regulations), Article II (Record Keeping and Enforcement), and Article III (Miscellaneous Provisions), apply to this order to the extent that they are not inconsistent herewith.

(d) This order may be revoked, amended, or corrected at any time, and supercedes Order No. G-6, issued May 18, 1944.

This order shall become effective August 15, 1944.

2. Appendices III and IV are deleted from Revised Order No. G-6.

3. Appendix I is amended to read as set forth in Appendix I attached hereto.

This amendment to Revised Order No. G-6 shall become effective October 31, 1945.

Issued this 26th day of October 1945.

BEN C. DUNWAX,  
Regional Administrator.

## APPENDIX I

Species	Item No.	Basing point	Style of dressing	Quantity <sup>1</sup>	Maximum prices per pound		
					Table A: Port of entry	Table B: Port of entry	Table D: Port of entry
Lobster:							
10 1/2"-13 1/2" in length..	1	Sán Diego.....	Live.....		\$0.24	\$0.27	\$0.30
More than 13 1/2".....		do.....	do.....		.18	.205	.235
Smelt.....	2	Kelso, Wash.....	Round.....	0-1,500.....	.20	.225	.25
				1,501-3,000.....	.15	.17	.19
				3,001-200,000.....	.08	.09	.10
				200,000 and over.....	.035	.045	.055

<sup>1</sup> Maximum prices under table A are for sales ex-vessel or ex-beach; for boxed fish add \$0.01 per pound to the maximum prices under table A.

<sup>2</sup> Maximum prices at all ports of entry not listed shall be the maximum prices established for the nearest port of entry listed.

<sup>3</sup> The quantity refers to the total amount of smelt landed in region VIII from the waters of the Columbia River and its tributaries during each week ending Friday at noon. The prices stated opposite the quantities are the maximum prices commencing on Monday following the week during which the particular quantity was landed.

[F. R. Doc. 45-20386; Filed, Nov. 6, 1945; 1:45 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 37-17]

AMERICAN SERVICE CO.

## ORDER RESCINDING ORDER AND PERMITTING WITHDRAWAL OF SUPPLEMENT AND AMENDMENTS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of November 1945.

The Commission having, by order dated March 8, 1937, found that the organization and conduct of business of American Service Company, a subsidiary service company of American Utilities Service Corporation, a registered holding company, were such as to meet the requirements of section 13.(b) of the Public Utility Holding Company Act of 1935; and

American Service Company having thereafter filed a supplement to its original declaration and amendments to such supplement with regard to certain changes in its method of operation and the allocation of cost thereof; and

It now appearing to the Commission that the conditions which led to the issuance of its order of March 8, 1937 have changed and that American Service Company has ceased doing business as a subsidiary service company; and

American Service Company having filed a request for rescission of the Commission's order herein of March 8, 1937 and for withdrawal of its supplement to its original declaration and the amendments to such supplement; and

It appearing to the Commission that it is appropriate that its order herein of March 8, 1937 be rescinded and that the supplement to the original declaration and amendments to such supplement herein be withdrawn;

It is ordered, That the order of the Commission herein dated March 8, 1937, be, and the same is hereby, rescinded as of this date:

It is further ordered, That the supplement to the original declaration and amendments to such supplement herein

be, and the same are hereby, permitted to be withdrawn.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20390; Filed, Nov. 6, 1945; 3:32 p. m.]

[File No. 70-1141]

CITIES SERVICE CO. ET AL.

## NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of November, A. D. 1945.

In the matter of Cities Service Company, Consolidated Cities Light, Power & Traction Company and Dominion Natural Gas Company, Limited, File No. 70-1141.

Notice is hereby given that Cities Service Company ("Cities"), a registered holding company, and two of its subsidiaries, Consolidated Cities Light, Power & Traction Company ("Consolidated") and Dominion Natural Gas Company, Limited ("Dominion"), have joined in filing declarations pursuant to the Public Utility Holding Company Act of 1935, particularly Section 12 thereof and Rules U-42, U-43 and U-44 thereunder.

All interested persons are referred to said document, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

(1) The acquisition by Dominion for cash at 100% of principal amount, plus accrued interest, of \$1,350,000, principal amount of 5% First Mortgage Gold Bonds, 1953, of Southern Ontario Gas Company, Limited, assumed by Dominion and representing all of its outstanding bonds, and the sale by Consolidated and Cities to Dominion of their respective holdings of such bonds in principal amounts of \$150,000 and \$1,200,000 respectively.

(2) The dissolution of Consolidated and the distribution to its shareholders of its assets, consisting entirely of cash in the approximate amount of \$471,000 following sale of the Dominion bonds.

Consolidated has presently outstanding 2,509 shares of capital stock (other than treasury shares), of which Cities owns 2,500 shares, the holders of the remaining 9 shares being unknown. Cities will receive all the assets of Consolidated as a liquidating dividend and will agree to pay to the holders of the said 9 shares, in the event the certificates representing such shares are surrendered, or proof of ownership is otherwise established, at any time within six years after dissolution of Consolidated, the amount which the holders of said 9 shares are entitled to receive on liquidation.

Expenses, including legal fees, in connection with the proposed transactions are estimated at \$5,500.

Notice is further given that any interested party may, not later than November 19, 1945, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declarations, as filed or as amended, may be granted and permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-20391; Filed, Nov. 6, 1945; 3:32 p. m.]

[File Nos. 70-1101, 70-1102]

PUBLIC SERVICE COMPANY OF INDIANA, INC.,  
AND INDIANA GAS & WATER CO., INC.

## ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 2d day of November, A. D. 1945.

Applications and declarations, and amendments thereto, having been filed with this Commission by Public Service Company of Indiana, Inc., a subsidiary of The Middle West Corporation, a registered holding company, pursuant to the Public Utility Holding Company Act of 1935, regarding, among other things, the issuance and sale at competitive bidding of 150,000 shares of its Cumulative Preferred Stock, \$100 par value per share, and the retirement of all its presently outstanding preferred stock; and

The Commission having by order dated September 5, 1945, granted said applications and permitted said declarations to become effective, subject, among other things, to the terms and conditions of Rule U-24; and

Public Service Company of Indiana, Inc. having requested that the condition contained in Rule U-24, requiring the transactions to be carried out within 60 days after the applications are granted and the declarations are per-



mitted to become effective, be modified so as to extend to March 1, 1946, the date by which such transactions as are specified above in the said applications and declarations may be consummated.

It is hereby ordered, That the condition contained in the Commission's order of September 5, 1945 under Rule U-24, be, and hereby is modified to extend to March 1, 1946, the date by which Public Service Company of Indiana, Inc. may issue and sell at competitive bidding 150,000 shares of its Cumulative Preferred Stock and retire its presently outstanding preferred stock.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 45-20392; Filed, Nov. 6, 1945;  
3:32 p. m.]

[File No. 54-133]

ASSOCIATED GAS AND ELECTRIC CO. ET AL.  
ORDER APPROVING PLAN FOR TRANSFER OF  
SECURITIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of November, 1945.

In the matter of Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, NY PA NJ Utilities Company, General Gas & Electric Corporation, General Public Utilities Corporation, Associated General Utilities Company, Metropolitan Edison Company, Gas & Electric Associates, File No. 54-133.

An application for approval of a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 having been filed by Stanley Clarke, Trustee of Associated Gas and Electric Company, a registered holding company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and the following direct or indirect subsidiaries of the said two registered holding companies: NY PA NJ Utilities Company, General Gas & Electric Corporation, General Public Utilities Corporation (formerly Associated Utilities Corporation), and Gas & Electric Associates, each of which is a registered holding company, and Metropolitan Edison Company and Associated General Utilities Company; and

The said plan proposing the various securities hereinafter described, which are registered in the names of Day & Co., Dean & Co., Drake & Co., and Holland & Co., be transferred and delivered to the respective beneficial owners of such securities, as is also indicated below, and that Day & Co., Dean & Co., Drake & Co., and Holland & Co. be dissolved; and

The applicants having requested that the Commission enter an order finding that the proposed transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, and that such order conform to the pro-

visions of section 1808 (f) and section 371 (a) of the Internal Revenue Code, as amended; and

A public hearing having been held on such matters, after appropriate public notice, and the Commission having made and filed its findings and opinion herein:

It is ordered, That said plan be, and hereby is, approved, subject however to the conditions specified in Rule U-24 of the general rules and regulations promulgated pursuant to the act; and

It is further ordered and recited, That the following transactions authorized and permitted by this order are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(1) The transfer and delivery by Day & Co. of the securities hereinafter enumerated to the persons or corporations designated below as the beneficial owners thereof, and the issuance of new certificates for such securities to such beneficial owners thereof:

BENEFICIAL OWNER: STANLEY CLARKE, AS  
TRUSTEE OF ASSOCIATED GAS AND ELECTRIC  
COMPANY

671,000 shs.: Associated Gas and Electric Corporation Common Stock, no par value.  
\$3,000 p. a.: Associated Gas and Electric Company 5½% Sinking Fund Income Debentures, due 1963, Series A.

\$10,000 p. a.: Associated Gas and Electric Company 4½% Sinking Fund Debentures, due 1963, Series D, Registered.

269,496 shs.: Associated Gas and Electric Company Common Stock, par value \$1.

1,671 shs.: Associated Gas and Electric Company 84 Cumulative Preference Stock.

36,374 warrants: Associated Gas and Electric Company Optional Stock Purchase Warrants for Class A or common stock (expired January 2, 1941).

3,531.4 shs.: Associated Gas and Electric Company 85 Dividend Series Preferred Stock Scrip Certificates.

173 shs.: Associated Gas and Electric Company 85 Dividend Series Preferred Stock.

33,374 shs.: General Gas & Electric Corporation Common Stock Class A (New).

3 shs.: Associated Gas and Electric Company 20.50 Cumulative Preference Stock.

42 shs.: Associated Gas and Electric Company \$5.50 Cumulative Preference Stock.

109 shs.: Associated Gas and Electric Company 84 Cumulative Preference Stock.

28,185 shs.: Associated Gas and Electric Company Class A Stock—par value \$1.

117 shs.: Certificates held for consolidation of Scrip Certificates into full shares—Associated Gas and Electric Company Class A Stock—par value \$1.

BENEFICIAL OWNER: DENIS J. DRISCOLL AND  
WILLARD L. THORP, AS TRUSTEES OF ASSOCIATED  
GAS AND ELECTRIC CORPORATION

\$53,490 p. a.: Associated Gas and Electric Corporation Income Debentures, 4½% due 1978.

602,235 p. a.: Associated Gas and Electric Corporation Income Debentures, 4½% due 1973.

850 p. a.: Associated Gas and Electric Corporation Income Debentures, 3½% due 1973.

21,740 p. a.: Associated Gas and Electric Corporation Income Debentures, 3½% due 1978.

50 p. a.: Associated Gas and Electric Corporation Sinking Fund Debentures due 1920.

1,200 shs.: Associated Utilities Corporation Common Stock.

11,917½ shs.: General Gas & Electric Corporation 98 Cumulative Preferred Stock, no par.

19,534½ shs.: General Gas & Electric Corporation 97 Cumulative Preferred Stock, no par.

274,404 shs.: General Gas & Electric Corporation 99 Cumulative Preferred Stock "B", no par.

321,633 shs.: General Gas & Electric Corporation 99 Cumulative Preferred Stock "A", no par.

40,107 shs.: General Gas & Electric Corporation 95 Prior Preferred Scrip.

27,633 shs.: General Gas & Electric Corporation 95 Prior Preferred Stock, no par.

1,639,633 shs.: General Gas & Electric Corporation Common Stock Class "A".

3,030,131 shs.: General Gas & Electric Corporation Common Stock Class "B"—par value \$25.

718,735,043 shs.: General Gas & Electric Corporation Common Stock Class "A" Due Bills.

5239 shs.: General Gas & Electric Corporation Common Stock Class "B" Scrip.

170,411 shs.: General Gas & Electric Corporation Common Stock "A" Scrip.

423,000 shs.: NY PA NJ Utilities Company Common Stock—par value \$1.

659,000 shs.: Associated Electric Company Common Stock—par value \$1.

BENEFICIAL OWNER: NY PA NJ UTILITIES  
COMPANY

300,780 shs.: Metropolitan Edison Company Common Stock, no par value.

10,670 shs.: New England Gas and Electric Association 85.50 Dividend Series Preferred Stock, no par value.

22,124 shs.: Northern Pennsylvania Power Company, Common Stock, no par value.

109,593 shs.: Pennsylvania Edison Company (formerly Penn Central Light and Power Company) Common Stock, \$1 par value.

520 shs.: York Railways Company 5% Cumulative Preferred Stock \$50 par value.

BENEFICIAL OWNER: GENERAL GAS & ELECTRIC  
CORPORATION

102,533 shs.: Associated Gas and Electric Company 85 Dividend Series Preferred Stock, no par value.

713,914 shs.: Associated Gas and Electric Company 84 Cumulative Preference Stock, no par value.

367,789 shs.: Associated Gas and Electric Company 98 Cumulative Preference Stock, no par value.

BENEFICIAL OWNER: GENERAL PUBLIC UTILITIES  
CORPORATION (FORMERLY ASSOCIATED UTILITIES CORPORATION)

139 shs.: Associated Real Properties, Inc. Common Stock.

10,000 shs.: Gas & Electric Associates First Preferred shares.

10,000 shs.: Gas & Electric Associates Second Preferred shares.

\$215,000 p. a.: Keuka Lake Power Corporation Twenty-five Year 6½% Income Debentures due July 1, 1960.

2,450 shs.: Keuka Lake Power Corporation Capital Stock.

6,000 shs.: New England Gas and Electric Association 85.50 Dividend Series Preferred Shares.

BENEFICIAL OWNER: ASSOCIATED GENERAL  
UTILITIES COMPANY

\$29,180 p. a.: Associated Gas and Electric Company Sinking Fund Income Debentures, Series A, 5½% due 1933.

\$173,850 p. a.: Associated Gas and Electric Company Sinking Fund Income Debentures, Series B, 5½% due 1935.

\$267,100 p. a.: Associated Gas and Electric Company Sinking Fund Income Debentures, Series C, 4½% due 1935.

\$18,500 p. a.: Associated Gas and Electric Company Sinking Fund Income Debentures, Series D, 4½% due 1935.

\$759,300 p. a.: Associated Gas and Electric Corporation Income Debentures 3½'s due 1978.

\$1,391,920 p. a.: Associated Gas and Electric Corporation Income Debentures 4's due 1978.

\$343,000 p. a.: Associated Gas and Electric Corporation Income Debentures 4½'s due 1978.

BENEFICIAL OWNER: METROPOLITAN EDISON COMPANY

1,267 shs.: York Railways Company 5% Cumulative Preferred Stock, \$50 par value.

BENEFICIAL OWNER: GAS & ELECTRIC ASSOCIATES

70,000 shs.: Gas & Electric Associates First Preferred Shares.

50,000 shs.: Gas & Electric Associates Second Preferred Shares.

(2) The transfer and delivery by Dean & Co. of the securities hereinafter enumerated to the persons or corporations designated below as the beneficial owners thereof, and the issuance of new certificates for such securities to such beneficial owners thereof:

BENEFICIAL OWNER: DENIS J. DRISCOLL AND WILLARD L. THORP, AS TRUSTEES OF ASSOCIATED GAS AND ELECTRIC CORPORATION

1,160 shs.: General Gas & Electric Corporation Common Stock Class A, no par value.

BENEFICIAL OWNER: NY PA NJ UTILITIES COMPANY

21,284 shs.: York Railways Company 5% Cumulative Preferred Stock, \$50 par value.

BENEFICIAL OWNER: METROPOLITAN EDISON COMPANY

4,497 shs.: York Railways Company 5% Cumulative Preferred Stock, \$50 par value.

(3) The transfer and delivery by Drake & Co. of the securities hereinafter enumerated to the persons designated below as the beneficial owners thereof, and the issuance of new certificates for such securities to such beneficial owners thereof:

BENEFICIAL OWNER: DENIS J. DRISCOLL AND WILLARD L. THORP, AS TRUSTEES OF ASSOCIATED GAS AND ELECTRIC CORPORATION

\$30,000 p. a.: Associated Gas and Electric Corporation 4½'s due 1978.

\$94,800 p. a.: Associated Gas and Electric Corporation 4's due 1978.

\$102,700 p. a.: Associated Gas and Electric Corporation 3¾'s due 1978.

(4) The transfer and delivery by Holland & Co. of the securities hereinafter enumerated to the corporation designated below as the beneficial owner thereof, and the issuance of new certificates for such securities to such beneficial owner thereof:

BENEFICIAL OWNER: NY PA NJ UTILITIES COMPANY

1,074 shs.: New England Gas and Electric Association \$5.50 Dividend Series Preferred, no par value.

(5) The dissolution of the partnerships Dean & Co., Drake & Co., and Holland & Co.

By the Commission.

[SEAL] ORVAL L. DuBOIS, Secretary.

[F. R. Doc. 45-20406; Filed, Nov. 7, 1945; 9:44 a. m.]

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP. ET AL.

ORDER RELEASING JURISDICTION WITH RESPECT TO STEPS TAKEN TO CARRY OUT LIQUIDATION PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of November, A. D. 1945.

In the matters of North Continent Utilities Corporation and Subsidiary Companies, File No. 54-74; North Continent Utilities Corporation and Subsidiary Companies, File No. 59-69.

The Commission having by order entered on November 16, 1943 (Holding Company Act Release No. 4686), approved a plan providing for the liquidation and dissolution of North Continent Utilities Corporation, a registered holding company, filed by that company and its subsidiary companies, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, designed to enable the North Continent holding company system to comply with section 11 (b) of the act; and the Commission having by said order reserved jurisdiction as to any steps taken to effectuate disposition of North Continent Utilities Corporation's assets; and

The District Court of the United States for the District of Delaware having on March 17, 1944, entered an order approving said plan, and having on July 7, 1945, entered an amendatory order providing that "North Continent Utilities Corporation until further order of this court may enter into transactions not inconsistent with the plan, including sales of its assets or assets of its subsidiaries, upon the filing of appropriate applications and declarations with, and the entry of appropriate orders by the Securities and

Exchange Commission, in conformity with the Public Utility Holding Company Act of 1935 and the rules, regulations and orders promulgated and issued thereunder"; and

North Continent Utilities Corporation and its wholly-owned subsidiaries, Elks River Power & Light Company and New Mexico Public Service Company, having filed application or declarations (or both) under the applicable sections of the act and the rules promulgated thereunder proposing the following transaction:

(a) The sale by Elk River Power & Light Company of all its physical properties to the Village of Elk River, a municipal corporation in Minnesota, for a base price of \$50,000;

(b) The following sales by New Mexico Public Service Company of certain of its physical properties, known as its "Farmington Division":

(1) The sale of the properties of the "Farmington Division" located in the Town of Farmington and extending five miles beyond the town's boundaries to the Town of Farmington, a municipal corporation in New Mexico, for a base price of \$210,000;

(2) The sale of the properties of the "Farmington Division" extending more than five miles beyond the Town of Farmington's boundaries to Basin Light and Power Company, a New Mexico corporation, for a base price of \$90,000;

It appearing to the Commission that the above transactions represent steps proposed to be taken to effectuate disposition of assets of North Continent Utilities Corporation; and that the above proposed sales to the Village of Elk River and to the Town of Farmington and the above proposed sale to Basin Light and Power Company are, by virtue of the provisions of paragraphs (b) (3) and (b) (2), respectively, of Rule U-44 promulgated under the provisions of section 12 (d) of the act, excepted from the requirements of Rule U-44; and that jurisdiction should be released in respect of the aforesaid sales;

It is ordered, That jurisdiction reserved in the order heretofore entered herein on November 16, 1943, be and hereby is released in respect of said proposed sales.

It is further ordered, That in all other respects said order of November 16, 1943, remains in full force and effect.

By the Commission.

[SEAL] ORVAL L. DuBOIS, Secretary.

[F. R. Doc. 45-20407; Filed, Nov. 7, 1945; 9:44 a. m.]